



TOWN OF HOPKINTON, NEW HAMPSHIRE

Office of Selectmen

Local Ordinance Index

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TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS - USE OF TOWN RECREATIONAL FACILITIES

ORDINANCE NO: 03-01

1.01 AUTHORITY

Pursuant to the authority of New Hampshire RSA 41:8, 41:11, 47:17, 147:1, 163-B:1-6, and any other applicable state statute annotated, the Board of Selectmen of the Town of Hopkinton hereby ordain as follows:

1.02 ENFORCEMENT

All recreational facilities owned by the Town of Hopkinton shall be under the supervision and direction of the recreation department and its director, along with any law enforcement officer or other designated official, board, or employee authorized by the Board of Selectmen, who may issue a notice of violation of these rules and regulations. Said persons may at any time ask any person(s) to leave the facility's property if they feel, at their discretion, that person(s) is/are violating any of the rules of the facility or abusing the facility. If such person(s) refuses to leave when requested to do so, a fine of not more than \$500.00 may be imposed on each person per violation.

1.03 PERMIT

All residents and taxpayers shall be allowed to enter upon, and/or use the recreational facilities of the Town of Hopkinton, including but not limited to "Houston Fields," "George Park," "Spirit Skate Park," "Kimball Pond," "Kimball Lake" and "Lewellen Bandstand." All non-resident users shall be considered guests and shall be subject to all rules and regulations herein. Permission for special use may be given in writing by the Parks & Recreation Director or other authorized Town official for a specific occasion or event such as swimming lessons, etc.

No person shall be allowed to enter upon or use the facilities of "Kimball Pond" including the "Town Beach," except residents of the Town of Hopkinton, taxpayers and their guests. Guests without exclusive permission of the Parks & Recreation Director shall be accompanied at all times by a resident or taxpayer of the Town of Hopkinton.

1.04 MOTOR VEHICLES

Motor Vehicles are allowed only in designated parking areas relative to town recreational facilities.

Motor vehicles are prohibited from any portion of any publicly maintained field.

No person shall drive a motor vehicle upon any property of, or way within the Town of Hopkinton, recklessly, so that the lives and safety of the public are endangered, nor shall they accelerate to exceed the traction limitation of their tires.

1.05 WATERCRAFT- Town Beach

No person(s) shall launch or use in any manner whatsoever any boat or watercraft from that portion clearly defined as the Hopkinton Town Beach. No person(s) shall beach or place on the shore any boat or watercraft on the town beach property, unless specifically related to the operation of the facility, or authorized by the site supervisor.

1.06 SWIMMING- Town Beach

Swimming is restricted to the area designated for such.

1.07 GENERAL CONDUCT – All facilities

Acts endangering others, disorderly conduct, intoxication, obscene or abusive language, or indecent acts are strictly prohibited. Use of glass bottles or other glass containers is prohibited.

Removal of, or damage to any structure, plant or natural feature is strictly prohibited. Skateboarding shall be prohibited on any sidewalks, crosswalks or any structure or facility of the town of Hopkinton except the Spirit Skate Park.

A. The following conduct shall be prohibited and shall serve as a basis for removal and or suspension from further use of the recreational facility;

1. Foul or obscene language.
2. Roughhousing or abusive behavior, including, but not limited to destruction or defacing of property.
3. Possession of illicit drugs, alcohol, tobacco or weapons of any kind.

B. Persons entering upon the property of the skate park shall do so at his or her own risk. The wearing of approved helmets is mandatory for anyone using the skate park. The term "using" shall be interpreted to mean operating a means of transportation on the skate park structures.

- The fine for a first offense within one (1) calendar year shall be \$10.00.
- A second offense within one (1) calendar year shall be \$25.00.
- Any subsequent offense within one (1) calendar year shall be \$50.00.

1.08 FIRES

Kindling of fires or use of portable grills is prohibited unless written permission is received from the Fire Department and site supervisor.

1.09 SOAP- Town Beach

The use of soap or detergents in the water is prohibited.

1.10 LITTER/GARBAGE

It shall be unlawful for any person or persons to dump, deposit, throw or leave, or cause to permit the dumping, depositing, placing, throwing or leaving of litter on any property of the Town of Hopkinton. The penalty for littering shall be \$100.00.

1.11 HOURS

Town Beach-

Swimming and parking areas shall be CLOSED for use from 9:00 PM - 7:00 AM or as otherwise posted by the Recreation Director.

Houston Fields-

The hours of operation for Houston Fields shall be 6:00 AM until one-half hour after sunset or as otherwise posted by the Recreation Director.

Georges Park-

George Park and all parking areas shall be CLOSED for use from 10:00 PM -7:00 AM or as otherwise posted by the Parks & Recreation Director.

Spirit Skate Park-

The skate park and parking areas shall be CLOSED for use no later than 9:00 PM. The skate park may open at 7:30 AM weekdays and at 9:00 AM on Saturday and Sunday or as otherwise posted by the Parks & Recreation Director within the above stated time constraints.

- The fine for a first offense within one (1) calendar year shall be \$10.00.
- A second offense within one (1) calendar Year shall be \$25.00.
- Any subsequent offense within one (1) calendar year shall be \$50.00.

1.12 HOUSTON PARK

The walking trails established at the Houston Park facility were constructed for the access and/or use by the public and the intent of said trails/walking paths is for pedestrian and/or bicyclists. There shall be no vehicles allowed upon any portion of the Houston facilities, except as provided in the designated parking lots or those of official maintenance or Town owned vehicles.

A "vehicle" shall have the same meaning as set forth in RSA 259:60 and 259:122. Nothing in this ordinance shall prohibit the use of snowmobiles when and to the extent said use is authorized by the Board of Selectmen.

The Board of Selectmen reserve the right to limit the use of, and or restrict the use of all town property as it may deem necessary.


RULES & REGULATIONS - USE OF TOWN RECREATIONAL FACILITIES Page 5

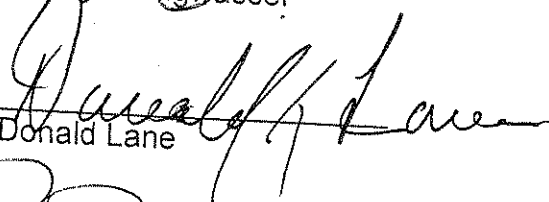
Effective Date:

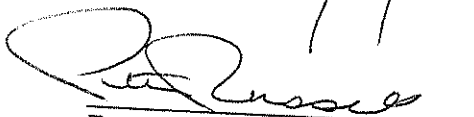
These rules and regulations shall become effective on the 28th day of January, 2008.

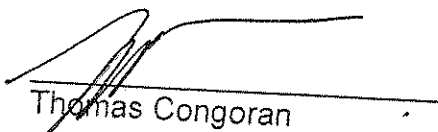
IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 28th day of January, 2008.

Town of Hopkinton, NH
Board of Selectmen


George Langwasser


Donald Lane

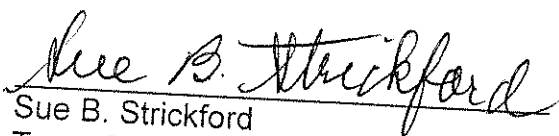

Peter Russell


Thomas Congoran


Scott Flood

Date: 1/28/08

A true copy, attest:


Sue B. Strickford
Town Clerk



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – STREET NAMING AND NUMBERING

ORDINANCE NO: 05-01

Authority: Acting upon the authority granted by New Hampshire RSA 231:133 and RSA 231:133-a and any other applicable chapters of the Revised Statutes annotated of New Hampshire.

Purpose: The standards set forth in this ordinance are made for the purpose of promoting the public health, safety and general welfare of the residents by establishing a procedure for administration and enforcement of a uniform street naming and addressing system within the Town of Hopkinton.

Objective:

1. To provide a means for expedient emergency response by fire, police, rescue, and other emergency services.
2. To establish a property location that will serve as mail delivery address and as an E-911 locator.
3. To assist in the proper delivery of utility and other services.
4. To provide property owners and the Town with a convenient, accurate and systematic means of identifying property.

Administration: This Ordinance shall be administered by the Board of Selectmen or its designee.

Assignment of Street Names: Every street serving a structure, public or private, shall have a name which will be designated by the Selectmen.

No name for a street shall be selected which it is already in use or which is confusingly similar to any other name regardless of the use of a suffix such as street, lane, avenue, etc.

Each street shall have only one name along its entire length and the continuation of an existing street shall have the same name.

Assignment of Street Numbers: The assignment of street numbers begins with each street's starting point as designated by the Board of Selectmen. Numbering is then done by measuring the amount of feet from the street's starting point to the driveway of the addressable structure or in some cases to the front door of the structure, depending upon whether the structure is visible from the street. All numbers for the left hand side will be odd and numbers for the right will be even.

Residential multi-family structures and multi-commercial structures will be assigned one number corresponding to the primary entrance location with individual units being numbered according to a logical pattern.

It shall be understood that by applying for a building permit to erect a primary structure, the property owner voluntarily consents to the assignment of a street number. Therefore, no public hearing shall be required in accordance with RSA 231:133-a.

Furthermore, certificate of occupancy permit shall not be issued until the property owner/builder displays the street address number as follows:

- ❖ If the residence to be constructed can be clearly seen from the roadway the house number shall be affixed to the front of the home with 2-1/2 inch numbers of contrasting color to the building.
- ❖ If the residence cannot be seen from the roadway the numbers shall be affixed to the mailbox, on both sides, and of contrasting color, or
- ❖ If no mailbox is available, the numbers shall be affixed to a post located at the end of the driveway with 2-1/2 inch numbers affixed on both sides.

Penalty: The owner of any structure who fails to procure and affix the street numbers assigned by the Board or who displays unauthorized numbers shall be subject to a fine of not more than ten dollars (\$10.00) for each day of non-compliance. Fines shall begin to accrue upon the issuance of a written Notice of Violation to the owner and end at such time as the violation ceases.


Appeals: Any person aggrieved by this Ordinance shall have the right to file a written petition within twenty (20) days of receipt of number assignment. Petitions shall be filed with the Board of Selectmen and a hearing shall be held within thirty (30) days of the receipt of such petition. In the case where a notice of violation has been issued and the Selectmen do not uphold the notice, any fines paid shall be returned to the petitioner. The decision of the Selectmen shall be final.

Effective Date:

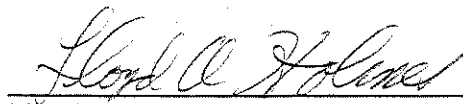
These rules and regulations shall become effective on the 8th day of November, 2005.

IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 7th day of November, 2005.


Town of Hopkinton, NH
Board of Selectmen


Donald K. Lane, Chairman


Louise M. Carr, Selectman


Lloyd A. Holmes, Selectman


Clarke L. Kidder, Selectman


Peter M. Russell, Selectman

Date: 11/7/2005

A true copy, attest:


Sue B. Strickford
Town Clerk

Date: 11/07/05



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – PARKING

ORDINANCE NO: 05-02

1.01 AUTHORITY:

Pursuant to the authority of NH RSA 41:8, 41:11, 47:17, and any other applicable Revised Statutes Annotated, the Board of Selectmen of the Town of Hopkinton hereby ordain as follows:

1.02 ENFORCEMENT:

All public roads, public parking lots, town owned property and/or facilities as it relates to parking, falls under the jurisdiction, supervision and direction of the Hopkinton Police Department as authorized by the Board of Selectmen, who may issue a notice of violation of these rules and regulations.

1.03 PURPOSE:

To regulate the parking of any vehicle or motor vehicle within the right of way and upon any portion of certain public ways, public parking lots as well as property owned by the Town of Hopkinton and/or its facilities.

1.04 DEFINITIONS:

The term "vehicle" or "motor vehicles" shall have the same meaning as defined in NH RSA 259:60 and 259:122.

1.05 WINTER PARKING BAN:

For the purpose of snow removal and winter highway maintenance, there shall be no parking upon any public right of way, or any public parking lots, within the Town of Hopkinton, except as provided below, between the hours of 11:00pm and 7:00am, November 1st through April 15th.

- 1.) Cedar Street parking lot: Six (6) marked spaces facing toward and running perpendicular to Cedar Street.
- 2.) Municipal Parking Facility abutting the Depot property located off Main Street six (6) marked spaces facing toward and running perpendicular to the Contoocook River.

Intent:

The intent of the provision that allows for "overnight parking" is intended to allow for vehicles to stop, stand and remain for a designated period of time, not to exceed five (5) days in duration.

Nothing in this provision shall be construed to allow for the habitation of persons within any such vehicle while parked overnight within the above described locations.

1.06 EMERGENCY BAN:

The Board of Selectmen may restrict parking upon any public property or public right of way within the Town of Hopkinton during an emergency, said parking ban to remain in effect until lifted by the Board.

1.07 LIMITED OR RESTRICTED PARKING:

Two (2) Hour Parking: All public on-street parking spots in Contoocook Village, including Main Street from a point measuring 25 feet south of the intersection of School Street to Park Avenue; on the north side of Maple Street (Rte 127) from Main Street to Prospect Street, and the entire length of Cedar Street.

Seasonal Restrictions:

- That section of Route 103 and 127 on both of the highway beginning at the intersection of Maple St. (Route 103) from the stone bridge, extending westerly to the Warner town line.
- That section of Kearsarge Avenue on both sides of the highway beginning at the intersection of Park Avenue, extending in a northerly direction to the Warner town line.

The above seasonal restrictions are hereby restricted for the parking of vehicles of any type. This is a seasonal restriction when posted with signs from August 15th to September 30th.

Town Property & Municipal Parking lots:

There shall be no overnight parking upon any public property, or within any public parking lots within the Town of Hopkinton, except as provided below, between the hours of 11:00pm and 7:00am:

- 1.) Cedar Street parking lot: Six (6) marked spaces facing toward and running perpendicular to Cedar Street.
- 2.) Municipal Parking Facility abutting the Depot property located off Main

Street six (6) marked spaces facing toward and running perpendicular to the Contoocook River.

Intent:

The intent of the provision that allows for "overnight parking" is intended to allow for vehicles to stop, stand and remain for a designated period of time, not to exceed five (5) days in duration.

Nothing in this provision shall be construed to allow for the habitation of persons within any such vehicle while parked overnight within the above described locations.

This policy does not extend or imply approval for overnight habitation of any vehicle.

No person(s) shall deposit or store any property upon or within any town owned property, right of way or parking lot without the express written permission of the Board of Selectmen.

1.08 PARKING PROHIBITED ON CERTAIN STREETS:

- Both sides of Penacook Road from Main Street (Rte 103) to that point measuring .3 miles east of the intersection of Briar Hill Road.
- That section of US Route 202, NH Route 9 and NH Route 103 in the Town of Hopkinton, NH within the painted traffic island on the north side of the highway opposite the intersection of South Road is hereby restricted and within the area so described the parking of vehicles of any type is prohibited at any time.
- That section of NH Route 127 (Maple Street) beginning at a point on both sides of the highway from the intersection of Public Works Road and extending in a northerly direction to the intersection of Main Street (NH Route 103) on the south side of the highway and to the intersection of Prospect Street on the north side of the highway is restricted and within the area so described the parking of vehicles of any type is prohibited at any time.
- That section of NH Route 127 (Maple Street) beginning at a point on both sides of the highway approximately 40 feet south of the intersection of the northbound on-ramp to Interstate 89 and extending in a southerly direction a distance of approximately 2050 feet on NH Route 127 is restricted and within the area so described the parking of vehicles of any type is prohibited at any time.

1.09 PENALTIES:

Any violation of this ordinance shall result in a fine of \$10.00, provided that said fine is paid within ten (10) calendar days of time of violation.

In the event that the original fine of \$10.00 is not paid, the fine will increase as follows;

- a. After ten (10) calendar days but less than thirty (30) calendar days – fine \$30.00
- b. After thirty (30) calendar days – fine \$50.00

1.10 PREVIOUS ORDINANCES:


The provisions of this ordinance replace all previous ordinances regulating parking issued by the Town of Hopkinton, and any previous parking ordinances are hereby rescinded.

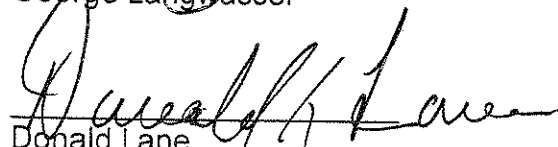
Effective Date:

These rules and regulations shall become effective on the 28th day of January, 2008.

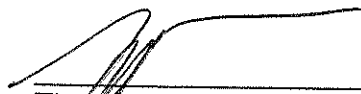
IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 28th day of January, 2008.

Town of Hopkinton, NH
Board of Selectmen


George Langwasser


Donald Lane

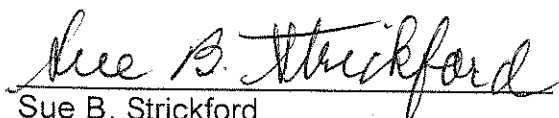

Peter Russell


Thomas Congoran


Scott Flood

Date: 1/28/08

A true copy, attest:


Sue B. Strickford
Town Clerk



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – HEAVY VEHICLE

ORDINANCE NO: 05-03

1.01 AUTHORITY:

Pursuant to the authority of NH RSA 47:11 and RSA 47:17 (VII), and any other applicable Revised Statutes Annotated, the Board of Selectmen of the Town of Hopkinton hereby ordain as follows:

1.02 ENFORCEMENT:

All permits, special weight limitations, signs, exceptions as they relate to Heavy Vehicles, falls under the jurisdiction, supervision and direction of the Hopkinton Police Department as authorized by the Board of Selectmen, who may issue a notice of violation of these rules and regulations.

1.03 PURPOSE:

Due to seasonal weakening of the road surface, obsolescence of bridges or pavements, or other impairment of a roadway, it is often necessary to limit the load permitted on a roadway, street or bridge.

1.04 WEIGHT LIMIT:

No person, partnership, firm, association or corporation shall drive, place or cause to be driven or placed upon any Town road, street or bridge a motor vehicle or trailer with a gross weight exceeding 6 tons (12000 pounds) during the period so designated by the Hopkinton Highway Superintendent.

1.05 POSTING:

A special weight limit sign shall be used to indicate any restrictions. This sign shall be located immediately in advance of the section or road, street or bridge to which it applies. In the case of an extended length of road or street it shall be placed on the right hand side of the restricted road or street approximately 25 feet from any intersected road or street on which the restriction does not apply so that it might be clearly visible from all vehicles turning onto the restricted road or street. A supplementary sign may be necessary on the left hand side of the road or street.

1.06 EXCEPTIONS:

Exempt from the provisions of this ordinance are all emergency motor vehicles and trailer and essential utility service motor vehicles and trailers. Emergency motor vehicles and trailers are defined as those providing police, fire, and road maintenance services. Essential utility motor vehicles are defined as those providing but not limited to essential telephone, electric or heating fuel services.

1.07 SPECIAL PERMITS:

Special permits issued by the NH Commissioner of Public Works and Highways are not valid on Hopkinton Town roads, streets or bridges. Any person wishing to move objects having a weight greater than permitted by this ordinance upon a Town road, street, or bridge, may apply to the Hopkinton Highway Superintendent or designee, for a permit to move said object or said vehicle and load upon a Town road, street, or bridge. The Highway Superintendent or designee may grant a permit for moving said object or vehicle upon a specified town road, street or bridge, at a specified time, if, in their opinion, it will not be detrimental to the preservation of the said road, street, or bridge, and the public use thereof, provided that the applicant, if required by the Highway Superintendent or designee, shall file a bond to cover any damage to the road, street, and provided that the applicant shall fulfill such other requirements as may be prescribed by the said Highway Superintendent or designee. The fee for a special permit shall be in the sum of \$10.00 per vehicle or per object moved.

1.08 PENALTY:

Any person, partnership, firm, association or corporation found in violation of this Ordinance shall be issued a civil forfeiture in the amount of \$250.00 for the first offense and for each successive offense a civil forfeiture of \$500.00. This will be paid to the Town of Hopkinton, NH at the Town Clerks Office within 15 days of issuance. Failure to comply with this procedure will result in a summons to the Concord District Court. Should the roadway, street, or bridge sustain damage as a result of the violator(s) act, such violator shall be liable for repair or restitution for costs incurred by the Town to repair any sustained damage.

Effective Date:

These rules and regulations shall become effective on the 23rd day of October, 2005.

IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 24th day of October, 2005.

Town of Hopkinton, NH
Board of Selectmen

Donald Lane, Chairman

Louise Carr, Selectman

Lloyd Holmes, Selectman

Clarke Kidder, Selectman

Peter Russell, Selectman

Date: October 24, 2005

A true copy, attest:

Sue B. Strickford
Sue B. Strickford
Town Clerk



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – TRANSIENT SALES PERSONS

ORDINANCE NO: 05-04

1.01 AUTHORITY:

The provisions of this Ordinance are adopted pursuant to RSA 31:102-a and requirements imposed by the State of New Hampshire under RSA 320 and/or RSA 321.

1.02 ENFORCEMENT:

The Hopkinton Police Chief is hereby designated by the Town of Selectmen to administer and enforce the application process as well as all provisions and requirements of this ordinance.

1.03 PURPOSE:

To regulate transient sales for the protection of the community.

1.04 LICENSE REQUIRED:

It shall be unlawful for any person or persons to engage in the business of transient sales as defined in RSA 320:1 and RSA 321.1 in the Town of Hopkinton without first obtaining a license as provided herein.

1.05 TRANSIENT LICENSE:

A transient license shall permit the holder to go from door to door or place to place within the Town, for the purpose of selling goods or services as defined in RSA 320:1 and / or 321:1.

1.06 DEFINITIONS:

The words "Transient Sales Person" as used herein shall be equated with terms of "Hawker" and "Peddler" as defined in RSA 320:1 and RSA 321:1 and shall include any itinerant vendor, trader, farmer, merchant, or other person who sells or takes orders for merchandise from temporary or transient sales locations within the Town of Hopkinton, or who goes from door to door or place to place within the Town for such purposes.

1.07 APPLICATION PROCEDURE FOR TRANSIENT SALES:

- A. The applicant shall file a completed application form with the Town of Hopkinton Police Department.

The applicant shall provide a copy of a current, valid State Hawkers permit and proof of product liability.

- B. The application shall include:

1. Date of application.
2. Number of application.
3. Name, home and business address of applicant.
4. Name and address of owner of vending business if other than the applicant.
5. Description of merchandise or services to be sold.
6. Description of motor vehicle to be used including vehicle registration number.
7. State license number and effective date.
8. Names of persons soliciting.
9. Names of last town in which they solicited.
10. One personal and one professional reference.

- C. All persons licensed under this Ordinance shall at all times wear an ID badge provided by the Town. The badge shall include:

1. Name of solicitor
2. Names of business
3. Expiration date

- D. A copy of this Ordinance will accompany the application form.

- E. Not later than 30 days after the filing of an application, the Town shall notify the applicant of its decision on the issuance or denial of the license. In the case of a denial, the Town shall indicate the basis for denial which may include, without restriction, the following:

1. Fraud or misrepresentation contained in the application.
2. Over-intensive vending activities within the area or at time requested in the application.
3. Inadequate information as to the nature of the proposed business or identity of the applicant.
4. Such other reasons as the Town determines necessary for public health, safety and welfare.

- F. If the Town issues a license, it may restrict operation of the solicitation to particular areas or to particular time or to a particular manner of operation or any combination of the foregoing.
- G. Any business licensed under this Ordinance shall at all times operate in a manner which will not interfere with public safety on the streets and shall operate in such a manner as to create minimal inconvenience to the public. A licensee shall operate a business only from such places and at such times as are authorized in the license.
- H. If the Town denies a license under this Ordinance, it shall give notice of the grounds therefore to the applicant. Said applicant may request a rehearing before the Board of Selectmen if he/she alleges mistake or error or if additional facts should be brought to the attention of the Board.

1.08 LIMITATIONS:

- A. Transient sales shall be limited to a reasonable and acceptable noise level.
- B. No transient sales person shall, within one hundred (100) feet of an established business, offer for sale and like items offered by such established business.
- C. Solicitation shall take place between the hours of 8:00 am and 8:00 pm of each day.
- D. Transient sales person selling food products shall be subject to health inspections and must comply with all state and local health and sanitation regulations.
- E. Each business shall be responsible for maintaining their operation in conformance with the laws and regulations of the State of NH and the Town of Hopkinton and shall be required before receiving a license to furnish evidence or insurance coverage holding the Town harmless from and liability caused by the transient sales operation.
- F. The Town shall be exempt from any and all responsibility and liability resulting from transient sales persons operation on private property.

1.09 EXPIRATIONS OF LICENSE:

License period is as granted, which shall be noted on the license. All annual licenses will expire as of December 31st of the year of issuance, and shall be renewed on an annual basis.

1.10 RENEWAL:

Annual licenses cannot be automatically renewed. Annual licensee must reapply once during each calendar year and shall be required to make application as set forth under the "application procedure" section of this Ordinance.

1.11 TRANSFER:

No license issued under the provisions of this Ordinance shall be used at any time by any person other than the one to whom it was issued. No such license is transferable. Changes in personnel require a license update for which there is no additional fee. Changes in ownership require a new application by the new owner.

1.12 REVOCATION OF LICENSE:

- A. Licenses issued under the provisions of this Ordinance may be revoked by the Town after notice and hearing for any of the following causes:
 - 1. Fraud, misrepresentation or false statement contained in the application for license.
 - 2. Fraud, misrepresentation of false statement made in the course of carrying on his/her business as a transient sales person.
 - 3. Any violation of this ordinance.
 - 4. Conviction of any crime or misdemeanor involving moral turpitude.
 - 5. Conducting the business or transient sales in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- B. Notice of the hearing for revocation of a license shall be given in writing setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage pre-paid, to the licensee at this last known address, or served in hand to the licensee at least five (5) days prior to the date set for the hearing.
- C. The Town authorizes the Police Department to issue a temporary suspension of the license, if the Chief of Police or his designee determines that the Licensee has violated any section of this ordinance, and determines that the continued operation of the transient sales operation would be against the best interest of the public. This temporary suspension will either be upheld or rescinded by the Town at the next regular meeting, and if upheld will continue until the formal revocation proceeding.

1.13 EXHIBITION OF LICENSES:

Transient sales persons are required to exhibit their State and Local licenses in full public view at all times.

1.14 LICENSE FEES:

The fee for licensing shall be set by the Board of Selectmen. The fee is payable to the Town of Hopkinton and may be in cash or a certified bank check. This fee is also an application fee and is non-refundable in the case of a denial or revocation.

1.15 PENALTY:

Any person convicted of a violation of any provisions of this Ordinance shall be guilty of a violation as defined by the Criminal Code of the State of NH. A separate offense shall be deemed committed upon each day during which a violation occurs and punishable by a fine of not more than fifty (\$50.00) dollars for each and every violation.

All fines collected under the provisions of this Ordinance shall be placed in the General Fund of the Town of Hopkinton, NH.

1.16 DISPOSITION OF REVENUES:

Any monies generated by this Ordinance, either by fees or fines, shall be placed in the General Fund of the Town of Hopkinton, NH.

If any section, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court, such portion shall be deemed a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portion.

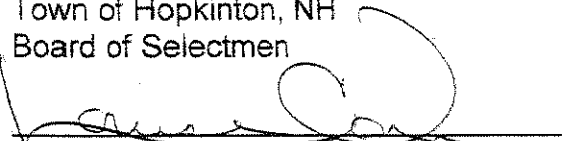
This Ordinance supersedes all other applicable ordinances issued by the Town of Hopkinton relative to transient sales, and shall take effect upon its adoption by the Town of Selectmen.

Effective Date:

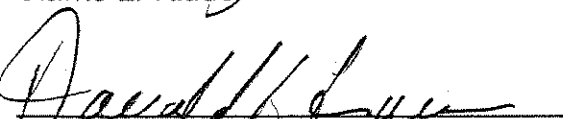
These rules and regulations shall become effective on the 27 day of JUNE, 2006.


IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 26 day of JUNE, 2006.

Town of Hopkinton, NH
Board of Selectmen


Louise M. Carr, Chairman


Clarke L. Kidder


Donald K. Lane


Peter M. Russell


George A. Langwasser

Date: 6/26/06

A true copy, attest:


Sue B. Strickford
Town Clerk



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – BLASTING

ORDINANCE NO: 05-05

1.01 AUTHORITY:

The provisions of this Ordinance has been enacted by the Selectmen of Hopkinton, NH. Pursuant to the powers granted them in RSA 47:11 and RSA 158:9-f and Department of Safety Regulations.

1.02 ENFORCEMENT:

This Ordinance shall be enforced by the Hopkinton Highway Superintendent and the Hopkinton Police Department.

1.03 PURPOSE:

To ensure that no blasting is performed in the Town of Hopkinton without a blasting permit for the safety and protection of the community.

1.04 BLASTING PERMIT REQUIRED:

No person shall perform or cause to be performed any blasting in the Town of Hopkinton unless a blasting permit is obtained from the Hopkinton Highway Superintendent or his designee. This permit shall not be issued until the following terms and conditions have been satisfied by the applicant.

- A. All abutters within five hundred (500) feet of the area where the blasting will occur shall receive notice by certified mail a minimum of two business days (excluding Saturday, Sunday and holidays) in advance of the blasting. The term "abutter" shall be defined in the manner used for the notification of zoning abutters.
- B. The Building inspector shall receive the same notice, also sent by certified mail, at least two business days (excluding Saturdays, Sundays and holidays) in advance of the blasting.
- C. The name and address of the blasting company be provided.

- D. The name of a company representative be provided and the twenty four (24) hour telephone number of the representative; such representative being a person who is capable of responding to claims and issues arising from blasting performed.
- E. A pre-blast survey shall be completed by the blasting company for an area within five hundred (500) feet of the proposed blasting.
- F. Any reports, measurements or videotapes made in connection with this pre-blast survey or with the subsequent blasting shall be made available upon request to all abutters within five hundred (500) feet of the area.
- G. The cost of the pre-blast survey shall be borne by the blasting company.
- H. The Use and Transport License of the hauler shall be designated.
- I. The route of removing the blasting material shall be designated.
- J. The location of the blasting shall be designated.
- K. The blasting shall take place within the hours of 8 AM to 4 PM Monday through Friday.
- L. An Insurance Certificate shall be posted with the Town Administrator in the amount deemed appropriate by the Highway Superintendent and the Town administrator.
- M. The Highway Superintendent is hereby authorized to promulgate blasting rules consistent the intent of this ordinance, such rules shall become effective on acceptance by the Selectmen.

1.05 PENALTY:

Any person found violating this Ordinance shall be issued a civil forfeiture in the amount of \$500.00 for the first offense and for each successive offense a civil forfeiture of \$1000.00. This will be paid to the Town of Hopkinton, at the Town Clerk's Office within 15 days of issuance. Failure to comply with this procedure will result in a summons to the Concord District Court.

This Ordinance supersedes all other applicable ordinances issued by the Town of Hopkinton relative to the regulation of blasting, and shall take effect upon its adoption by the Board of Selectmen.


Effective Date:

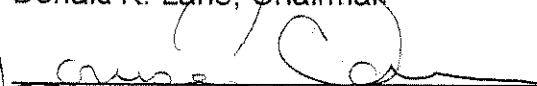
These rules and regulations shall become effective on the 1st day of November, 2005.

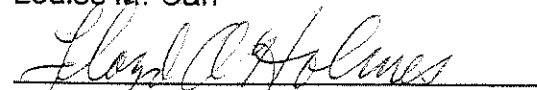
IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 31st day of October, 2005.

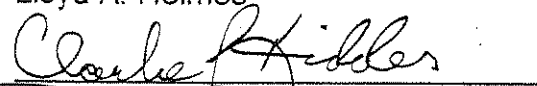
Town of Hopkinton, NH
Board of Selectmen

Town of Hopkinton, NH
Board of Selectmen


Donald K. Lane, Chairman


Louise M. Carr



Lloyd A. Holmes


Clarke L. Kidder


Peter M. Russell

Date: 10/31/2005

A true copy, attest:


Sue B. Strickford
Town Clerk

Date: 10/31/05



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – REFUSE DISPOSAL ORDINANCE

ORDINANCE NO: 05-06

An ordinance regulating the use of the Hopkinton-Webster Refuse Disposal Facility and providing penalties for violations thereof in the Town of Hopkinton, County of Merrimack and State of New Hampshire.

Pursuant to RSA 41:11, 47:17, 149-M:13.2 and every other enabling authority, including the Hopkinton-Webster Refuse Disposal Agreement and the Hopkinton-Webster Solid Waste Management Planning District Agreement, the Boards of Selectmen of Hopkinton and Webster in cooperation with the Hopkinton-Webster Refuse Disposal Committee do hereby enact the following:

Article I

Definitions

- Section 1 "Facility" – The area established as the Hopkinton-Webster Disposal Area for Solid and Septic Wastes including the Transfer Station.
- Section 2 "Hopkinton-Webster Refuse Disposal Agreement" – Duly enacted Agreement between the Towns of Hopkinton, NH and Webster, NH to jointly operate and regulate a refuse disposal area.
- Section 3 "Hopkinton-Webster Refuse Disposal Committee" – Duly appointed committee pursuant to the Hopkinton-Webster Refuse Disposal Agreement.
- Section 4 "Operator" – Duly authorized agent running the day-to-day operation of the facility.
- Section 5 "Stickers" – Duly issued permit to allow access and use of the facility.

Article II

Use of the Facility

- Section 1 Permitted Usage: All persons, firms, or corporations and their agents, Whose residence (including seasonal) or place of doing business are within the corporate limits of the Towns of Hopkinton and Webster, shall be privileged to use the facility of the landfill area. No person, firm or

corporation, other than those designated above shall enter into or upon the facility area or use that area for any purpose whatsoever and no

refuse except refuse originating in the Towns herein named shall be placed in the facility.

Under no circumstances shall any person, firm, corporation or any of their agents be permitted to dump refuse that does not originate from the Towns of Hopkinton and Webster. The Refuse Disposal Committee, upon approval of the Boards of Selectmen, may make exceptions to this requirement for other governmental units.

The owner, operator or other person in charge of a vehicle transporting solid wastes as a condition of use, to be deposited in the Disposal Areas shall present evidence and/or answer any reasonable questions concerning the place or origin of the material as the person in charge of the Disposal Areas may request. Failure to comply with these regulations or having furnished creditable evidence when requested shall be sufficient cause for the Boards of Selectmen, or their authorized representative, to revoke, suspend or modify a license, permit, or privilege for the use of the facility and/or to enforce or impose any other penalties as provided by these regulations.

Section 2 Hours of Operation: The facility shall be open to persons having a dump permit from 8:00 AM to 5:00 PM on Monday; 8:00 AM to 5:00 PM on Wednesday; 1:00 PM to 5:00 PM on Friday; and 8:00 AM to 5:00 PM on Saturday. In the event that a legal holiday shall fall on a normal day of operation, then the facility shall fall on a normal day of operation, then the facility shall be closed on that day and open on the next regular work day following the holiday. These hours of operation may be modified by the Hopkinton-Webster Refuse Disposal Committee as they deem appropriate.

No person, firm or corporation, or their agents, having the right to use the facility as described in this article, or any other person shall be permitted to enter upon or use the facility area for any disposal operations except during the hours specified by this ordinance and posted at the gate entrance to the said facility.

Section 3 All persons, firms and corporations, or their agents, having the right to use this facility as provided in these rules shall abide by the conform to all regulations herein provided, and/or with all instructions or orders of the persons authorized by the Selectmen or Committee of the Town of Hopkinton and Webster to supervise disposal operations within the facility area, and with all signs and notices posted at the facility by order of the Selectmen and/or committee.

Section 4 Location of Dumping: All dumping shall be done in areas designated by the proper officials or the duly authorized agent operating the facility.

Section 5 Removal of Objects: No person, firm or corporation, or their agents, shall, except by written permission of the facility committee, remove any article or object which has been deposited or left within the facility area. No scavenging or salvage operations shall be permitted on the facility.

Section 6 Prohibitions: Loitering or drinking of alcoholic beverages within the property of the facility is prohibited.

At no time will the displaying and/or discharge of any firearms including air rifles be permitted within the facility area or on any land designated as part of the facility property.

Section 7 Utilization:

A. Rubbish and Refuse:

1. Refuse derived from the normal operation of households or businesses within the Town, and usual in nature, may be deposited in the Disposal Areas. Household refuse of a usual nature is defined as "Those items of refuse which, by themselves can be contained within a 32 gallon waste container". All other refuse, unusual in nature or size and non-combustible refuse brought to the Disposal Areas shall be deposited at such locations as designated.
2. Town Departments, operating Town owned equipment, may deposit refuse generated by the Town Department at the Disposal Areas without charge. Contractors employed by the Town, when operating on Town business, will be permitted to deposit Town refuse at the Disposal Areas in accordance with these Rules and Regulations without an assessed fee.
3. Waste material from single residence remodeling will be accepted for disposal only in non-combustible materials have been separated from combustible materials and the material is cut into lengths that allow for handling.

B. Trucks:

1. All trucks entering the Disposal Areas, regardless of size, will be required to be identified, including the name of the driver, vehicle registration, and the name and address of the supplier(s) of refuse. If requested by the operator, all vehicles shall be weighed prior to disposing of its load and after disposing of its load. Any failure on the part of the owner or his operator to comply with these rules and regulations, or the instructions and directives of the operating personnel will be reported immediately to the Superintendent of Public Works.

2. All vehicles engaged in the collection of refuse, regardless of the number of customers, are required to display any and all permits required by the Towns of Hopkinton and Webster, State of New Hampshire or the United States Government.
3. All open trucks and trailers must be equipped with the required tarpaulin, and the load must be FULLY covered.
4. Trucks entering the Disposal Areas shall be checked for out-of-town refuse by a Town employee. The dumping of out-of-town refuse at the Disposal Areas is strictly prohibited.

Section 8 Brush, Stump and Wood Disposal:

- A. All stumps, from any source, shall be deposited only in designated areas.
- B. Logs or brush larger than five inches (5") in diameter shall be considered logs and shall be deposited in a designated area. Hardwood logs shall be separated and deposited in a designated area For recycling as firewood.
- C. All lumber shall be cleaned of refuse and deposited in either the Designated burn pile or in the wood recycling area.
- D. Wood chips shall be deposited in a separate designated area.
- E. Pressure-treated and rot-resistant wood shall be deposited only in an area designated by the operator. It shall not be burned.

Section 9 Prohibited Materials:

- A. Any substance or object likely to damage, injure, destroy or obstruct the usefulness or operation of the Disposal Areas.
- B. Any substance which may attack, damage or alter by any means the equipment, employees or citizens engaged in the use and operation of the Disposal Areas.
- C. Any quantities of gasoline, kerosene, alcohol, oil, tar, flammable or explosive gas or vapor or any material or substance which may generate or form a flammable, explosive or combustible substance, fluid, gas, vapor or mixture when combined with air, water or other substances commonly found in Disposal Areas.
- D. Any substance at a temperature above 100 degrees Fahrenheit or its burning point, or substance which, upon coming into contact with water, refuse or air will generate steam, vapor, fire, smoke or toxic fumes.

- E. Poisons or any other substance likely to generate poisonous Substances that may interfere with, constitute a hazard to, or be dangerous to humans, wild life, animals or the environment.
- F. Any wastes containing animal guts, tissues, entrails, offal, blood or other types of pathological wastes.
- G. Any substance containing or labeled as radioactive wastes or explosive material.
- H. Any solid wastes likely to cause damage, injury or loss to other Persons or to the property of other persons who use the Disposal Areas or to any person or equipment engaged in the treatment or disposal of such solid wastes, for the Towns of Hopkinton or Webster.
- I. Pharmaceutical or medical wastes of any nature.
- J. Metal or plastic drums of any nature.
- K. Any cyanides, disinfectants, formaldehyde, toxic or poisonous substances of any kind.
- L. Any waters or wastes containing strong acid or iron pickling wastes, or concentrated plating solutions, whether neutralized or not.
- M. Any wastes or waste water which is strongly acid, and which, when tested in the usual manner, has a "pH" less than 5.5 or which is strongly alkaline and has a "pH" more than 9.0.
- N. Any waste or waste water from an industrial or commercial process containing any amount of toxic or objectionable metals, non-metals and/or solids, included but not limited to the following:

Arsenic	Chlorides	Manganese	Silver
Barium	Copper	Mercury	Sulphides
Cadmium	Cyanides	Nickel	Zinc
Chromium	Lead	Phenols	
- O. Any material, regardless of composition, that is listed as a toxic or Hazardous waste by the State of New Hampshire or the United States Government.
- P. Any junk or unwanted motor vehicles of any kind.

Section 10 Materials Requiring Special Handling:

The Boards of Selectmen, or their authorized representative, may designate materials or substances that require special handling. Such Material or substances shall require a special permit for disposal.

Section 11 Revocation of Permits:

The Boards of Selectmen, or their authorized representatives, may at any time cancel, suspend, revoke or modify permits or privileges issued hereunder for cause. The suspension, revocation or modification of an existing permit or privilege shall not entitle the person holding such a permit to a refund of all or a portion of any fee collected for the issuance of such permit or privilege.

Section 12 General:

The following general regulations shall apply to all persons or parties using the Disposal Areas and its facilities.

- A. They must provide their name, address and place of origin of refuse upon request.
- B. The Towns reserve the right to reject any materials which it considers to be detrimental to the operation of the Disposal Areas.

Article III

Permit Stickers

Section 1 Obtaining Permits:

Permit stickers may be obtained from the Town Clerks of the Towns of Hopkinton and Webster. Permit stickers shall be issued to any person or business eligible to use the facility as defined herein. Proper identification of residency may be required at the time of issuing the permit sticker by the respective Town Clerks. Any person or business entitled to a permit sticker may, upon the request of their respective Town Clerks and upon showing of need, may be issued one or more duplicate permit stickers. If the issuing Town Clerk is not satisfied that the individual or business has shown a need, he may request an investigation by the respective Police agency in the Town where the resident or business is located to determine whether such person or business is entitled to duplicate stickers.

Section 2 Cost of Permits:

The Town Clerks shall charge \$1.00 for each permit issued.

Section 3 Maintenance of Active Permits Issued:

The respective Town Clerks of Hopkinton and Webster shall maintain An accurate and numerical list of stickers issued in proper sequence showing the date of issuance and the persons, firm or corporation name said sticker was issued to. Copies of valid permits issued will be

forwarded to the Police Chiefs of Hopkinton and Webster by the said Town Clerks if requested by said Police Chiefs.

Section 4 Permit Display:

Valid permit stickers shall be attached to each vehicle entering the facility area as previously outlined in this ordinance and proper identification must be shown to authorized Police officials and the facility operator so requesting said information at the facility area to insure that stickers issued are attached to the vehicles owned by the persons, firm, corporation or their agents that the respective permit stickers have been issued to. The permit sticker shall be attached to the left (driver's side) hand side of the vehicle in a clearly visible location. No vehicle shall enter the facility unless the permit sticker shall be attached thereto as set forth herein.

Article IV

Septic Wastes

Section 1 Use of Facility:

Only septic wastes which originate from the Towns of Hopkinton and Webster shall be accepted at the facility. Prior to using the facility, the septage hauler must be registered with the Hopkinton-Webster Refuse Disposal Committee. The hauler must also be a legal hauler as defined by state law.

Section 2 Disposal at the Facility:

Prior to disposing of a load of Septage, the driver shall report to the operator. The instructions of the operator with regards to disposal location and procedure shall be followed.

Section 3** Cost of Disposal:

Each load of septage disposed at the facility shall be charged at the rate of \$40.00 per 1,000 gallons.

Article V

Large Volume Haulers and Miscellaneous Non-Domestic Trash

Section 1*** Tipping Fee:

All waste and garbage brought to the facility with a weight over 400 pounds shall be assessed a tipping fee based on the entire weight of the

waste or garbage. Residents disposing of 400 pounds or less of waste and garbage will not be assessed a tipping fee. Wastes requiring the payment of a tipping fee shall include, but not be limited to, construction and demolition wastes, stumps from land clearing operations, and other commercial and industrial wastes.

Section 2*** Fees:

Each load of waste included in Section 1 of this article disposed at the facility shall be charged a tipping fee according to the following schedule:

No charge for Brush and other burnables.

All residential trash, commercial trash and metal.

- From January 1, 2006 through December 31, 2006, the charge shall be \$1.00 for each 200 lb increment.
- From January 1, 2007 through December 31, 2007, the charge shall be \$1.50 for each 200 lb increment.
- From January 1, 2008 until further revision, the charge shall be \$2.00 for each 200 lb increment.

	2006	2007	2008
0 to 200 lbs	\$1.00	\$1.50	\$2.00
201 to 400 lbs	\$2.00	\$3.00	\$4.00
401 to 600 lbs	\$3.00	\$4.50	\$6.00
601 to 800 lbs	\$4.00	\$6.00	\$8.00
Etc.			

All construction wastes, demolition debris and stumps.

From January 1 2006 until further revision, the charge shall be \$10.00 for each 200 lb increment

0 to 200 lbs	\$10.00
201 to 400 lbs	\$20.00
401 to 600 lbs	\$30.00
601 to 800 lbs	\$40.00
Etc.	

Without an appropriate form of payment, the use of the facility shall be denied by the operator unless a request to be invoiced has been received and approved by the Hopkinton Board of Selectmen.

Section 3* Miscellaneous Fees:

The list of items in this section shall be assessed the following tipping fees regardless of how they are delivered to the facility:

Item	Cost
White Goods that <u>do not contain</u> fluids that must be removed (hot water heaters, furnaces, stoves, etc.)	\$5.00/unit
White Goods that <u>do contain</u> fluids that must be removed (refrigerators, air conditioners, etc.)	\$10.00/unit
Tires (16" or less, unmounted)	\$2.00/each
Tires (16" or less, mounted)	\$10.00/each
Tires (greater than 16", unmounted)	\$10.00/each
Tires (greater than 16", mounted)	\$20.00/each
NOTE: No tires will be accepted from commercial tire companies or garages.	

Vouchers for these charges may be obtained from the respective Town Clerks or from the facility operator.

Section 4 Separation of Wastes:

All haulers shall adhere to a strict separation of wastes as directed by the operator. No loads shall be accepted which are not properly separated.

Section 5 Waivers:

The Boards of Selectmen may waive any of the tipping fees in this ordinance when the material can and is disposed of in a designated recycling area.

Section 6 Special Conditions:

For wastes not covered here that are unique in nature, the Boards of Selectmen may establish tipping fees for these items.

Article VI

Penalties

Section 1 Penalties:

Any person or business found to be violating any provisions of the Ordinance shall be deemed to be guilty of a violation and shall be fined not more than \$200.00 and upon a second conviction within a period of twelve months, may in addition to any fine imposed, be denied the right to use said facility area for a period of time not to exceed twelve months.

Section 2 Liability:

Any person or business violating any of the provisions of this ordinance shall become liable to the Towns of Hopkinton and Webster for any expense, loss or damage occasioned by the Towns by reason of such

Article VII

Validity and Ordinance in Force

Section 1 Previous Ordinances:

All previous ordinances relative to the facility are hereby repealed.

Section 2 Invalidity:

The invalidity of any Section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance Which can be given effect without such invalid part or parts.

Section 3 Adoption:

These Rules and Regulations are adopted to comply with the Rules and Regulations of the State of New Hampshire, Department of Health and Welfare, Division of Public Health Services, Bureau of Solid Waste Management and the United States Environmental Protection Agency, And the United States Army Corps of Engineers.

Section 4 Ordinance in Force:

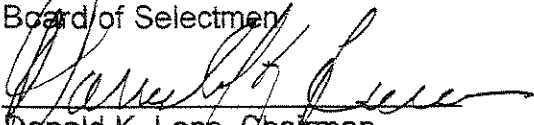
This ordinance shall be in full force and effect beginning January 31, 1990.
This ordinance was amended on November 7, 2005.
This ordinance will be in full force and effect beginning January 1, 2006.

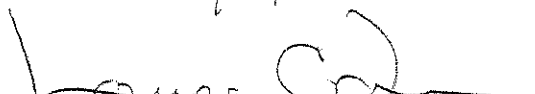
*Amended 2/1/1995

**Amended 1/17/1996


***Amended 11/07/2005

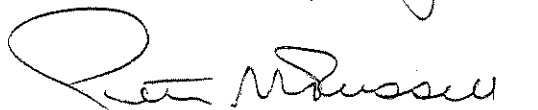
Town of Hopkinton, NH
Board of Selectmen


Donald K. Lane, Chairman


Louise M. Carr, Selectman

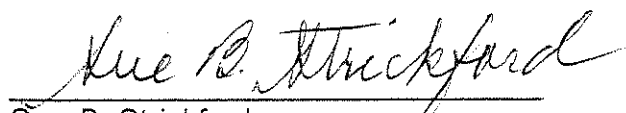

Lloyd A. Holmes, Selectman


Clarke L. Kidder, Selectman


Peter M. Russell, Selectman

Date: 11/7/2005

A true copy, attest:


Sue B. Strickford
Town Clerk

Date: 11/07/05

Selectmen - Town of Haverhill

Toni Gray
Toni Gray, Clerk
[Signature]
[Signature]

Robert W. Green
Robert Greer

Selectmen - Town of Webster

[Signature]
Robert Brown, Chairman

William Bird
William Bird

Clarence Jeffery
Clarence Jeffery

Representative - House of Representatives

[Signature]
Roger Bonfield
[Signature]



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – SPEED LIMITS

ORDINANCE NO: 06-01

1.01 AUTHORITY:

Pursuant to the authority of NH RSA 41:8, 41:11, 47:17, 265:63 and any other applicable Revised Statutes Annotated, the Board of Selectmen of the Town of Hopkinton hereby ordain as follows:

1.02 PURPOSE:

In the interest of promoting public health, safety and general welfare of all citizens of Hopkinton and other individuals who may frequent the Town of Hopkinton, the Board of Selectmen direct the Chief of Police and the Highway Superintendent to conduct a review by engineering or traffic investigation of town roads and report recommended speed limits for posting of such roads on an annual basis or as need arises.

These recommendations shall be posted for public hearing and shall become effective immediately upon enactment.

1.03 PREVIOUS ORDINANCES:

The provisions of this ordinance replace all previous ordinances regulating speed limits issued by the Town of Hopkinton, and any previous speed limit ordinances are hereby rescinded.

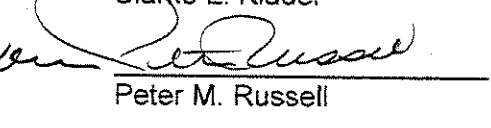
IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 22 day of MAY, 2006.

Town of Hopkinton, NH
Board of Selectmen


Louise M. Carr



Clarke L. Kidder


Donald K. Lane


Peter M. Russell


George A. Langwasser

A true copy, attest


Sue B. Strickford, Town Clerk

May 22, 2006
Date

TOWN OF HOPKINTON

Recommended Speed Limits

Following traffic investigation, which was completed by the Hopkinton Police Department and the Hopkinton Highway Department, we hereby recommend speed limits be posted as follows on the following town roads:

25 MPH	(Entire length unless specified otherwise)	(page 1 of 2)
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Amesbury Rd	
Appletree Lane	
Autumn Ridge Rd	
Bailey Rd	
Barton Corner Rd	
Bassett Mill Rd	
Beech Hill Rd	
Blaze Hill Rd	
Bound Tree Rd	Dirt Portion
Branch Londonderry Tpke	
Broad Cove Rd	
Brockway Rd	
Brookwood Ln	
Burnham Intervale Rd	
Carriage Ln	
Cedar St	
Clarke Ln	
Clement Hill Rd	Dirt Portion
College Hill Rd	
Country Club Rd	
Cressey Brook Rd	
Crowell Rd	
Dolly Rd	
Edgewood Dr	
Elizabeth Lane	
Emerson Hill	
Fieldstone Rd	
Gage Hill Rd	
Gallop Hill Rd	
Garrison Ln	
Gould Hill Rd	
Hardy Ln	
Hopkins Green Rd	
Houston Dr	
Hutchins Hill Rd	
Indian Ridge Rd	
Irish Hill Rd	

25 MPH (continued)	(Entire length unless specified otherwise)	(page 2 of 2)
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Knollwood Cir	
Moran Rd	
Old Holmes Rd	
Old Putney Hill	
Old Stagecoach Rd	
Orchard Way	
Patch Rd	
Peaked Hill Dr	
Pinewood Dr	
Pleasant Pond Rd	
Prospect St	
Putney Hill Rd	None from Old Henniker to Gage Hill Rd.
Riverside Dr	
School St	
Smithfield Rd	
Snowshoe Trail	
South Rd	Dirt Portion
Spring St	
Taylor Rd	
Tebrok Rd	
Thain Rd	
Upper Straw Rd	
Willoughby Rd	
Woodland Dr	
Woodwell's Garrison Rd	
Wildwood Rd	
Grants Valley Rd	

30 MPH	(Entire length unless specified otherwise)
--------	--

Bound Tree Rd	Pine to Autumn Ridge
Briar Hill Rd	
Clement Hill Rd	Pine to Covered Bridge
Dustin Rd	
Hatfield Rd	
Kast Hill Rd	
Kearsarge Ave	
Penacook Rd	
Pine St	
Rollins Rd	
South Rd	Until dirt portion
Stickney Hill Rd	
Stumpfield Rd	
Sugar Hill Rd	
Tyler Rd	Webster end

35 MPH	(Entire length unless specified otherwise)
--------	--

East Penacook Rd
Farrington Corner Rd

State

Currier Rd
Hopkinton Rd (Rte 103)
Hopkinton Rd (Rte 202&9)
Jewett Rd
Main St (Rte 103)
Main St (Rte 202&9)
Maple St
Old Henniker Rd
Park Ave
Route 202&9

Private

Deer Path
Elm Brook Park
Evergreen Ln
Fire Pond Rd
Flintlock Rd
Josylvia Way
Meadows Dr
Pamela Dr
River Grant Dr
Rolfe Pond Dr
Salachar Rd
Salmon Ln
South Shoe Dr
Sparrow Ln
Spring Dr
Stacey Dr
Sunset Dr
Trout Way
Tucker Dr
Well House Rd

Other

Bass Ln
Bluebird Ln
Buckingham Ln
Burrage Rd
Camp Rd
Camp Merrimack Rd
Chase Farm Rd
Checkerberry Ln
Clough Ln
Cottage St
Cross Rd
Drew Rd
Eagle Ln
Fletcher Ln
Folsum Rd
George Rd
Hawthorne Hill
Hedgerose Ln
High Pond Rd
Highland Ave
Hillcrest Dr
I-89 N/B
I-89 S/B
Kimball Lake Rd
Kryzaniak Ln
Lilac Ln
Little Frost Rd
Little Tooky Rd
Little Tooky Connector
Lower Straw Rd
Main St
Mill Rd
Moss Rd
New Rd
New Cemetery Rd
North Shore Dr
Old Irish Hill Rd
Old Stumpfield Rd
Park Ln
Perch Ln
Pet Dow Rd
Pike Ln
Public Works Rd
Ridge Ln
Ridgewood Rd
Riverview Dr
Robert Gould Rd

Other

Roberts Rd

Robin Ln

Rockwood Cir

Stoneybrook Ln

Tamarack Rd

Turnberry Ln

Watchtower Rd

Winter Dr



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – ALARM ORDINANCE

ORDINANCE NO: 06-02

1.01 AUTHORITY:

Pursuant to the authority of NH RSA 41:8, 47:17 and any other applicable Revised Statutes Annotated, the Board of Selectmen of the Town of Hopkinton hereby ordain as follows:

1.02 PURPOSE:

In the interest of promoting public health, safety and general welfare of all citizens of Hopkinton, the Board of Selectmen hereby establish certain guidelines to govern the installation, registration and use of residential alarm systems.

1.03 REGISTRATION:

All fire alarms shall be registered with the Hopkinton Fire Department prior to use and shall comply with the applicable Fire Department standards. All intrusion alarms shall be registered with the Hopkinton Police Department prior to use and shall comply with the applicable standards. The failure to comply with such requirements shall result in fines.

1.04 FALSE ALARMS:

A false alarm is defined as the activation of an alarm system through mechanical failure, accidental tripping, mis-operation, malfunction, misuse, or the neglect of the owner or lessee of an alarm system, or of his employees or agents. Upon the failure of the affected department to find evidence of intrusion or fire, or other legitimate need or cause for activating, a presumption of "false alarm" will be made. False alarm shall not include alarms caused by earthquakes, violent winds, or external causes beyond the control of the owner or lessee of the alarm system.

1.05 FINES:

Any person who maintains or has an alarm connected to the Police or Fire alarm system, to an alarm agent, alarm business or a person responding to audible alarms, which has caused any signal, message or alarm to be transmitted to the department either by direct telephone or other communications, and which is proven to be a false alarm shall pay a false alarm charge to the Town of Hopkinton as follows:

RULES & REGULATIONS – ALARM ORDINANCE

Page 2

Failure to register:

In an effort to improve efficiency with response to alarm activations, all alarm systems shall be registered with the respective town departments immediately upon installation. The failure to register an alarm system will result in a fine of \$50.00.

False alarms:

Commencing with the effective date of this ordinance, the service charge for false alarms shall be:

First two (2) alarms.....No Charge
Third (3) thru fifth (5) alarms.....\$25.00 per Alarm
Any additional false alarm after the five (5) previously stated, emergency services will not respond until phone confirmation of a true emergency has been received.

1.06 NOTICE TO DISCONNECT:

Whenever an alarm system has resulted in ten (10) or more false alarms during a period of twelve (12) consecutive months, the Chief of Police and/or the Fire Chief shall send to the responsible person a notice that the alarm will be disconnected from the alarm system. Any person receiving such a disconnect notice shall have thirty (30) days to show cause why the alarm should not be disconnected. In the absence of cause, the alarm will be disconnected at the end of the thirty (30) day period. The failure to disconnect shall result in a fine of \$100.00.


1.07 PREVIOUS ORDINANCES:

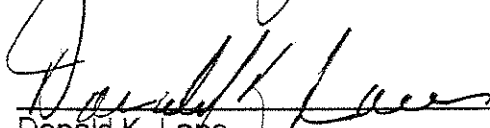
The provisions of this ordinance replace all previous ordinances regulating false alarms issued by the Town of Hopkinton, and any previous false alarm ordinances are hereby rescinded.

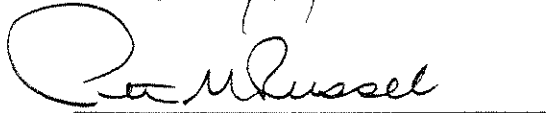
IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 26 day of JUNE, 2006.

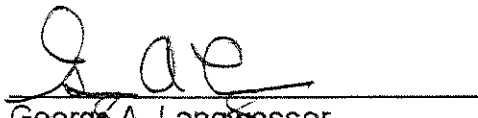
Town of Hopkinton, NH
Board of Selectmen


Louise M. Carr, Chairman


Clarke L. Kidder


Donald K. Lane


Peter M. Russell


George A. Langwasser

A true copy, attest:


Sue B. Strickford, Town Clerk

10/26/06
Date



TOWN OF HOPKINTON, NEW HAMPSHIRE

**RULES & REGULATIONS - NOTICE OF BY-LAW PROHIBITING THE DEPOSIT OF SNOW FROM
PRIVATE DRIVEWAYS IN THE PUBLIC STREETS AND ROADS**

ORDINANCE NO: 06-03

1.01 AUTHORITY:

Pursuant to the authority of NH RSA 41:11 and any other applicable Revised Statutes Annotated, the Board of Selectmen of the Town of Hopkinton hereby ordain as follows:

1.02 PURPOSE:

That the plowing, dumping or otherwise depositing of snow from private drives and roadways in the usual traveled or cleared sections of the right-of-way of any public street or highway of the Town is prohibited;

1.03 PENALTIES:

Each violation of the By-law shall be punishable by a fine of \$50.00.

1.04 PREVIOUS ORDINANCES:

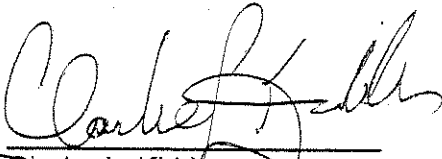
The provisions of this ordinance replace all previous ordinances regulating deposit of snow from private driveways in public streets and roads issued by the Town of Hopkinton are hereby rescinded.

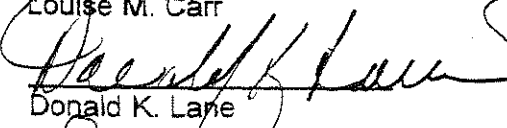
These recommendations shall be posted for public hearing and shall become effective immediately upon enactment.

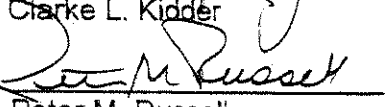
IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 26 day of JUNE, 2006.

Town of Hopkinton, NH
Board of Selectmen


Louise M. Carr



Clarke L. Kidder


Donald K. Lane


Peter M. Russell


George A. Langwasser

A true copy, attest


Sue B. Strickford, Town Clerk

6/26/06
Date



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – SWIMMING & JUMPING FROM BRIDGES OR STRUCTURES

ORDINANCE NO: 07-01

1.01 AUTHORITY:

Pursuant to the authority of NH RSA 41:8, 41:11, 47:17, and any other applicable Revised Statutes Annotated, the Board of Selectmen of the Town of Hopkinton hereby ordain as follows:

1.02 PURPOSE:

In the interest of promoting public health, safety and general welfare of all citizens of Hopkinton and other individuals who may frequent the Town of Hopkinton, the Board of Selectmen have an interest in preventing unnecessary injury to persons.

1.03. ENFORCEMENT:

This Ordinance shall be enforced by the Hopkinton Police Department or any police agency having jurisdiction within the limits of said town.

1.04. RESTRICTED SWIMMING:

It shall be unlawful for any person(s) to swim, loiter or picnic on the Clement Pond Boat Ramp between the hours of 10:00pm and 9:00am.

1.05. RESTRICTIONS ON JUMPING FROM BRIDGES OR STRUCTURES:

No person(s) shall jump from any bridge or similar structure into a public body of water in the Town of Hopkinton.

1.06. PENALTY:

Any person found violating this Ordinance shall be issued a civil forfeiture in the amount of \$25.00 for the first offense and for each successive offense a civil forfeiture of \$50.00. This will be paid to the Town of Hopkinton, at the Town Clerk's Office within 15 days of issuance. Failure to comply with this procedure will result in a summons to the Concord District Court.

This Ordinance supersedes all other applicable ordinances issued by the Town of Hopkinton relative to the regulation of swimming and jumping from bridges, and shall take effect upon its adoption by the Board of Selectmen.


RULES & REGULATIONS – SWIMMING & JUMPING FROM BRIDGES

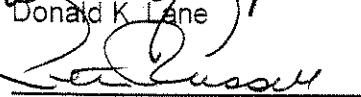
Page 2


IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 19th day of March, ~~2007~~^{no} 2007.

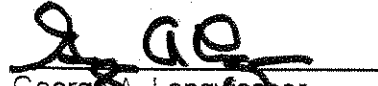
Town of Hopkinton, NH
Board of Selectmen


Donald K. Lane

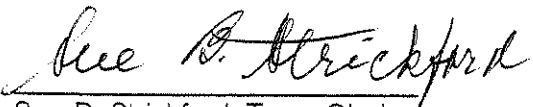

Tom Congoran


Peter M. Russell


Scott Flood


George A. Langwasser

A true copy, attest


Sue B. Strickford, Town Clerk

3/19/07
Date



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – ALCOHOLIC BEVERAGE – OPEN CONTAINER ORDINANCE

ORDINANCE NO: 07-02

1.01 AUTHORITY:

Pursuant to the authority of NH RSA 41:8, 41:11, 47:17, and any other applicable Revised Statutes Annotated, the Board of Selectmen of the Town of Hopkinton hereby ordain as follows:

1.02 PURPOSE:

In the interest of promoting public health, safety and general welfare of all citizens of Hopkinton and other individuals who may frequent the Town of Hopkinton, the Board of Selectmen have an interest in preventing the consumption and or possession of an alcoholic beverage within or upon any public place, street or way within the Town of Hopkinton.

1.03. ENFORCEMENT:

This Ordinance shall be enforced by the Hopkinton Police Department or any police agency having jurisdiction within the limits of said town.

1.04. ALCOHOLIC BEVERAGES:

It shall be unlawful to consume, possess or have under your control an open container of any alcoholic beverage as defined in RSA 175:1 upon any public way, public sidewalk, public park or public property within the Town of Hopkinton.

1.05. PENALTY:

Any person found violating this Ordinance shall be issued a civil forfeiture in the amount of \$100.00 for the first offense and for each successive offense a civil forfeiture of \$250.00. This will be paid to the Town of Hopkinton, at the Town Clerk's Office within 15 days of issuance. Failure to comply with this procedure will result in a summons to the Concord District Court.

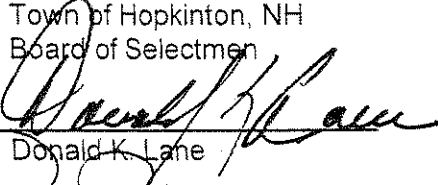
RULES & REGULATIONS - ALCOHOLIC BEVERAGE-OPEN CONTAINER
ORDINANCE

Page 2

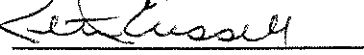
This Ordinance supersedes all other applicable ordinances issued by the Town of Hopkinton relative to the regulation of alcoholic beverages and shall take effect upon its adoption by the Board of Selectmen.

IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 19th day of March, ~~2007~~²⁰⁰⁷ 2007

Town of Hopkinton, NH
Board of Selectmen


Donald K. Lane


Tom Congoran


Peter M. Russell


Scott Flood


George A. Langwasser

A true copy, attest


Sue B. Strickford, Town Clerk

3/19/07
Date



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – LICENSING OF DANCES, MUSICAL CONCERTS AND ENTERTAINMENT FUNCTIONS

ORDINANCE NO: 07-03

RESOLVED by the Board of Selectmen of the Town of Hopkinton, acting pursuant to the powers vested in them by RSA 41:11 and RSA 31:39 as well as the police power of the Town:

Every person or organization holding a dance, musical concert or entertainment function where a fee or charge is made directly or indirectly for admission or which will be attended by more than 200 persons regardless of any admission charge shall obtain a written license from the Board of Selectmen at least 30 days prior thereto under the following conditions:

(a) Such license shall specify the time and place of the dance, musical concert or entertainment function and the hours thereof.

(b) A police officer or officers to be designated by the Chief of Police and paid by the licensee shall be in attendance at every such function, unless the license expressly states that no police officer is required.

(c) The Selectmen shall have the authority after considering the advice of the Chief of Police, the Town Health Officer and the Chief of the Fire Department, to grant or deny applications for licenses on such terms and conditions as they deem necessary and reasonable for the public protection and welfare. In determining whether to grant such licenses, the Selectmen shall consider the welfare of the residents of Hopkinton, the danger of potential property damage or personal injury, public safety and the adequacy of the planning and safeguards taken by the applicant to protect the public

(d) The Selectmen may in their discretion require the applicant to post a bond in such amount and on such conditions as they deem necessary to insure compliance with the terms and conditions of the license.

**RULES & REGULATIONS – LICENSING OF DANCES, MUSICAL CONCERTS AND
ENTERTAINMENT FUNCTIONS**

Continued

(e) Any person or organization who violates this provision shall be punished by a fine not to exceed \$500.00.

This ordinance shall be effective June 15, 1974.

Pertice Gaskill
David Story
Thomas Johnson, Jr.

Board of Selectmen

This By-law was received, recorded and signed by David Packard, Hopkinton Town Clerk on July 5, 1974.

This ordinance shall be effective May 15, 1971.

Thomas Johnson, Jr., Chairman
Frank Kimball
David Story

Board of Selectmen

This By-law was received, recorded and signed by David Packard, Hopkinton Town Clerk on May 15, 1971

Adopted 5/15/1971; Reformatted 03/2007

Town of Hopkinton
By its Selectmen:

Richard P. Kelly
W. O. Strong
Thos. J. Lang

This ordinance shall be effective June 15, 1974

RECEIVED AND RECORDED

1.6.5 1974 2:15 P.M.

Page #
Dr. R. B. [illegible]

HOPKINTON, N.H. TOWN CLERK



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – LICENSING & REGULATIONS FOR AMUSEMENT DEVICES AND AMUSEMENT CENTERS

ORDINANCE NO: 07-04

1. Definition of Terms: As used in this regulation, unless the context otherwise indicates.

(A) The term "amusement device" shall mean any machine which, upon the insertion of a coin, slug, token, plate or disc may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include such devices as electronic games, pin ball machines, skill ball, mechanical grab machines, and all games, operations or transactions, similar thereto under whatever name they may be indicated. The term does not include vending machines in which are not incorporated gaming or amusement features, nor does the term include any coin operated musical devices, rides or pool tables.

(B) The terms "person", "firm", "corporation", or "association" as used herein shall include the following; any person, firm, corporation or association which owns any amusement device; the person, firm, corporation or association in whose place of business any amusement device is placed for use by the public; and the person, firm, corporation or association having control over an amusement device provided, however, that the payment of the license fee by any person, firm, corporation or association enumerated herein shall be deemed a compliance with Section 5.

(C) The term "amusement center" shall mean any premises having thereon available for use by the general public four (4) or more amusement devices.

2. Gambling Devices Not Permitted: Nothing in this ordinance shall in any way be constructed to authorize, license, or permit any gambling or gambling devices not permitted by State Law.

3. License Required: No person, firm, corporation or association shall display for public patronage, or keep for operation any amusement device as defined in Section 1 without first having obtained a proper license/permit from the Town of Hopkinton. All licenses/permits under this article shall expire on the July 30th next following their issuance and may be renewed only after compliance with the procedures established by this article for the issuance of the original license/permit.

4. Amusement Center License: Applicants having available for use by the general public at one location four (4) or more amusement devices shall comply with all requirements of the Town of Hopkinton Ordinances.

(A) Management Plan: The application for an amusement center license shall include, in addition to other required information, a management plan which at a minimum will set forth the following:

- (1) The actual hours of operation;
- (2) The minimum number of employees on duty at any time;
- (3) Parking facilities for patrons;
- (4) A plan designed to avoid nuisances and insure compliance with Town of Hopkinton Ordinances;
- (5) Rules governing the presence of minors unaccompanied by an adult;
- (6) Rules and regulations to be posted on the premises governing the operation of the center and conduct of its patrons. These rules should include but not be limited to such matters as dress code, consumption or possession of alcoholic beverages or controlled drugs, loitering, presence of minors during school or evening hours, and maximum occupancy.

(B) Notice, Hearing, and Appeal: The Board of Selectmen shall not issue a license for an amusement center until ten (10) days after he has published notice of the application for a license in a newspaper of general circulation in the Town. During this ten (10) day period, the Board of Selectmen shall accept written comment from the public concerning the application. At the end of the ten (10) day period, the Board of Selectmen shall grant or deny the license and set the maximum hours of operation of the amusement center. Any person aggrieved by the decision of the Board of Selectmen to license an amusement center may within five (5) days from the date of decision to license request the Board of Selectmen to hold a public hearing on the application and to reconsider their decision. A renewal of an amusement center license shall be subject to the condition and proceedings of this section.

(C) Suspension and Revocation: A license issued under the provisions of this article to an amusement center may be suspended or revoked for violation of any provision of the management plan filed with the Board of Selectmen or any condition imposed by the Zoning Board of Adjustment in granting the required special exception or variance depending on zone.

5. Amusement Device: Applicants having available for use by the general public at the location less than four (4) amusement devices shall obtain a permit pursuant to the provisions of this article.

6. Application: The application for an amusement center and/or amusement device license shall in addition to such information as may be required by the Board of Selectmen contain the following information:

- (1) The name and address of the applicant, and if a firm, corporation, partnership or association, the principal officers thereof and their addresses;
- (2) The address of the premises where the licensed device or devices are to be operated, together with the character of the business as carried on at such place.

**RULES & REGULATIONS – LICENSING & REGULATIONS FOR
AMUSEMENT DEVICES AND AMUSEMENT CENTERS**

Page 3

- (3) A general description of the type of device or devices to be licensed;
- (4) The name and address of the owner of the device or devices, if other than the applicant.

No license shall be issued to any applicant unless he shall be over eighteen (18) years of age.

7. License Fees: Every amusement center applicant, before being granted a license, shall pay a license fee of one hundred dollars (\$100.00) per year plus a fee per machine (see paragraph #11). All license fees shall be payable annually in advance, provided, that where application is made after the expiration of any application of any license year, a license may be issued for the remainder thereof when payment of a proportionate part of the annual fee. In no case shall any portion of the license fee be repaid to the licensee.

8. Transfer of License: A license shall not be transferable from person to person or place to place, and shall be useable only at the place and by the person designated on the license.

9. Conditions and Restrictions: All licenses shall be subject to such conditions and restrictions as the Board of Selectmen deems it proper to impose.

10. Time: Every amusement center shall be permitted to stay open for the reception of patrons from 10:00 AM in the morning until 10:00 PM in the evening, except Sundays when operation is not permitted.

11. Annual Fee Per Machine: See paragraphs #5 and #7

<u>Number of Machines</u>	<u>Fee</u>
Each Machine	\$100 per year

Signed: October 6, 1982

Robert York, Chairman
Toni Gray
Stanley White

Board of Selectmen
Town of Hopkinton

Effective Date: October 6, 1982

Adopted 10/6/1982; Reformatted 03/2007

Signed,

HOPKINTON BOARD OF SELECTMEN

Robert York
Robert York, Chairman

Toni Gray
Toni Gray

Stanley White
Stanley White

October - 6, 1982
Date

Effective Date: October 6, 1982



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – FLOODPLAIN DEVELOPMENT ORDINANCE

ORDINANCE NO: 07-05

The following regulations shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency in its "Flood Insurance Study for the Town of HOPKINTON, N.H." together with the associated Flood Insurance Rate Maps and Flood Boundary and Floodway maps of the Town of HOPKINTON, N.H. dated May 17, 1988 which are declared to be part of this Ordinance.

Item 1. Definition of Terms:

"Area of Shallow Flooding" means a designated AO, AH, or VO zone on a community's flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Flood Hazard" is the land in the flood plain with a community subject to a one percent or greater chance of flooding in any given year. The area may be designated a Zone A on the FHBM.

"Base Flood" means the flood having a one percent chance of being equaled or exceed in any given year.

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Building" -- see "Structure."

"Breakaway Wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

"FEMA" means the Federal Emergency Management Agency.

“Flood” or “Flooding” means: A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Boundary and Floodway Map” (FLOODWAY) is an official map of the community, on which the Federal Emergency Management Agency has delineated the “Regulatory Floodway”. This map should not be used to determine the correct flood hazard zone or base flood elevation, the Flood Insurance Rate Map (FIRM) will be used to make determinations of flood hazard zones and base flood elevations.

“Flood Elevation Study” means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-rated erosion hazards.

“Flood Insurance Rate Map” (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community.

“Flood Insurance Study” see “Flood Elevation Study.”

“Floodplain” or “Flood-prone Area” means any land area susceptible to being inundated by water from any source (see definition of “flooding”).

“Flood Proofing” means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

“Floodway” -- see “Regulatory Floodway.”

“Functional Dependent Use” means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, or ship building and ship repairs facilities, but does not include long-term storage or related manufactured facilities.

“Highest adjacent grade” means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic Structure" means any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily

determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1) By an approved state program as determined by the Secretary of the Interior, or

2) Directly by the Secretary of the Interior in states without approved programs.

"Lowest Floor" means the lower floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor. Provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

"Mean Sea Level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

“Manufactured Home Park or Subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“100-Year Flood” see “Base Flood.”

“Recreation Vehicle” means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projection; (iii) designed to be self propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

“Regulatory Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point. These areas are designated as floodways on the Flood Boundary and Floodway Maps.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

“Special Flood Hazard Area” means an area having special flood mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, M, or E. (See Area of Special Flood Hazard)

“Structure” means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

“Start of Construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within the time limit designated by the Hopkinton Zoning Ordinance. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; or does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

“Substantial Damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“Substantial Improvement” means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of a building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register or Historic Places.

“Water Surface Elevation” means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or the datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

Item II.

All proposed development in any special flood hazard areas shall require a permit.

Item III.

The Building Inspector shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (ii) be constructed with materials resistant to flood damage, (iii) be constructed by methods and practices that minimize flood damages, and (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Item IV.

Where new and replacement water and sewer systems (including on-site systems) are proposed in flood-prone areas the applicant shall provide the Building Inspector with assurance that new and replacement sanitary sewage systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

Item V.

The Building Inspector shall maintain for public inspection, and furnish upon request, any certification of flood-proofing and the as built elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement. If the structure has been flood-proofed, the as built elevation (in relation to mean sea level) to which the structure was flood-proofed. This information must be furnished by the applicant.

Item VI.

The Building Inspector shall review proposed developments to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. It shall be the responsibility of the applicant to certify these assurances to the Building Inspector.

Item VII.

In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the Wetlands Board of the New Hampshire Environmental Services Department and submit copies of such notification to the Building Inspector. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector.

Within the altered or relocated portion of any watercourse, the applicant shall submit to the Building Inspector, certification provided by a registered professional engineer assuring that the flood carrying capacity of the watercourse has been maintained.

Along watercourses that have a designated Regulatory Floodway no encroachments, including fill, new construction, substantial improvements, and other development are allowed within the designated Regulatory Floodway that would result in any increase in flood levels within the community during the base flood discharge. In Zone A the Building Inspector shall obtain, review, and reasonably utilize any floodway data available from a Federal, State, or other source as criteria for requiring that development meet the floodway requirement of this section.

Along watercourses that have not had a regulatory floodway designated, no new construction, substantial improvements or other development (including fill) shall be permitted within Zone A1-30 and AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

Item VIII.

1. In special flood hazard areas the Building Inspector shall determine the 100 year flood elevation in the following order of precedence according to the data available.
 - a. In Zones A1-30, AH, AE, V1-30, & VE refer to the elevation provided in the communities Flood Insurance Study and accompanying FIRM or FHBM.
 - b. In unnumbered A zones the Building Inspector shall obtain, review, and reasonably utilize any 100 year flood elevation data available from Federal, State, development proposals submitted to the community (example subdivisions, site approvals, etc.) or other source.
 - c. In Zone AO the 100 year flood elevation is determined by adding the elevation of the highest adjacent grade to the depth number specified on the FIRM or if no depth number is specified on the FIRM at least two feet.
2. The Building Inspector's 100 year flood elevation determination will be used as criteria for requiring in Zones A1-30, AE, AH, AO and A that:
 - a. all new construction and substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the 100 year flood level;
 - b. that all new construction and substantial improvement of non-residential structures have the lowest floor (including basement) elevated to or above the 100 year flood level; or together with attendant utility and sanitary facilities, shall:
 - (i) be flood-proofed so that below the 100 year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - (ii) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
 - (iii) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;
 - c. all manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This

requirement is in addition to applicable state and local anchoring requirements for resisting wind forces;

- d. recreation vehicles placed on sites within Zones A1-30, AH, and AE shall be either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet all standards of Section 60.3 (b) (1) of the National Flood Insurance Program Regulations and the Elevation and Anchoring Requirements for "Manufactured Homes" in paragraph (c) of Section 60.3;
- e. for all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided the enclosed areas meet the following requirements: (1) the enclosed area is unfinished or flood resistant, useable solely for parking of vehicles, building access or storage; (2) the area is not a basement; (3) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings have a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters;
- f. proposed structures to be located on slopes in Special Flood Hazard Areas, Zones AH and AO, shall include adequate drainage paths to guide flood waters around and away from the proposed structures.

Item IX Variances and Appeals:

- 1. Any order, requirement, decision or determination of the Building Inspector made under this Ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.
- 2. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I (b), the applicant shall have the burden of showing in addition to the usual variance standards under state law:
 - (a) that the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
 - (b) that if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
 - (c) that the variance is the minimum necessary, considering the flood hazard, to afford relief.

3. The Zoning Board of Adjustment shall notify the applicant in writing that: (i) the issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

The Floodplain Development Ordinance was adopted under Article 7 at the Hopkinton, N.H. Town Meeting held March 9, 1988.

Adopted 3/9/1988; Reformatted 3/2007



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – HAZARDOUS MATERIAL CLEANUP ORDINANCE

ORDINANCE NO: 07-06

POLICY

It is hereby declared to be the policy of the Town of Hopkinton that all costs incurred by the Town for cleanup of any release of a hazardous material shall be borne by the responsible party.

DEFINITIONS

The following words and/or phrases shall, for the purposes of this article, have the meanings ascribed to them herein unless the context of a particular section clearly requires otherwise.

CLEANUP – the control, containment, recovery, removal or neutralization of any released hazardous material for the purpose of promoting or protecting public health or safety.

HAZARDOUS MATERIAL – Any substance or material in such quantity and form which may pose an unreasonable risk to health and safety or property, which may include but is not limited to, explosives, radioactive materials, etiologic agents, biological material, flammable liquids or solids, combustible liquids or solids, poisons, oxidizing or corrosive materials and compressed gasses which are listed by the materials transportation bureau of the United States Department of Transportation in Title 49 of the Code of Federal Regulations and any amendment thereto.

RELEASE – The uncontrolled, improper or unsafe release, discharge or escape of any hazardous material to any place or in any manner which poses an actual or potential threat to any person, property, wildlife or the environment.

RESPONSIBLE PARTY – Any individual, partnership, corporation, association, trust or other entity partially or solely responsible for the release of any hazardous material within the Town.

NOTIFICATION: CLEANUP

The Hopkinton Fire Department shall immediately be notified of any release of any hazardous material within the Town. At the same time, the responsible party or parties shall take all proper measures reasonably necessary and available to stop/mitigate the release and clean up the affected area.

COST RECOVERY

1. Upon the completion of any cleanup in which Town employees participated, all costs of the cleanup shall be itemized by each Town department involved, including the Fire Department. Such costs shall include, but are not limited to, the cost of cleaning, repair, restoration or replacement of any town material or equipment used in the cleanup, the

cost of any illness or injury sustained by any employee who participated in the cleanup and the costs of all contracted services utilized in the cleanup.

2. Upon receipt of these itemizations (including its own), but in no event later, than sixty (60) days from the date of the release, the Fire Department shall bill the full cost of the cleanup to the responsible party or parties. The bill shall include a description of costs incurred. Bills for less than the full amount of these costs shall be allowed, provided that the responsible party is advised of the reason therefore and the approximate date by which it can expect to receive a complete bill.

3. Each responsible party shall be jointly and severally liable to the Town for the costs of the cleanup for which they are responsible. Such costs may be collected by any lawful means including, but not limited to, appropriate court proceedings. All funds received from responsible parties shall be forwarded to the Board of Selectmen for deposit in the Town treasury.

SEVERABILITY

Should any provision of this article be held invalid by a court of competent jurisdiction, such finding of partial invalidity shall not affect the remainder of this article which shall continue in full force and effect. To this end, the provisions of this article are severable.

This Ordinance shall take effect upon its passage as provided by law.

Adopted in Town Meeting on March 9, 1994 as Article 27.

John Prewitt, Chairman
Virginia Blanchard
A. David Dufault

Board of Selectmen
Town of Hopkinton

Adopted 3/9/1994; Reformatted 3/2007



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – SEWER ORDINANCE

ORDINANCE NO: 07-07

An Ordinance regulating the use of public and private sewers and drains, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system; and providing penalties for violations thereof; in the Town of Hopkinton, County of Merrimack and State of New Hampshire.

Pursuant to RSA 252, and every other authority enabling the Board of Selectmen of Hopkinton to enact and ordain the following rules and regulations which are also adopted by the Health Officer of Hopkinton and approved by the Board of Selectmen pursuant to RSA 147, and are as follows:

ARTICLE I

Definitions

Unless the context specifically indicates otherwise, the meaning of the terms used in this ordinance shall be as follows:

- Section 1 "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of Oxygen utilized in the biochemical oxidation of organic matter under Standard laboratory procedure in five (5) days to 20 C, expressed in Milligrams per liter.
- Section 2 "Building Drain" shall mean that part of the lowest horizontal piping of a Drainage system which receives the discharge from waste and other pipes inside the walls of the building and conveys it to a point five (5) feet (1.5 meters) outside the inner face of the building wall.
- Section 3 "Building Sewer" shall mean the extension from the building drain to the Public sewer or other place of disposal.
- Section 4 "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- Section 5 "Floatable oil" is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.
- Section 6 "Garbage" shall mean solid wastes from domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

- Section 7 "Grit" shall mean heavy inorganic matter such as stones, gravel, cinders, sand, silt, ashes or other inert materials.
- Section 8 "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.
- Section 9 "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- Section 10 "Person" shall mean any individual, firm, company, association, society, corporation or group of other legal entity.
- Section 11 "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter solution.
- Section 12 "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch 1.27 centimeters) in dimension.
- Section 13 "Public Sewer" shall mean a sewer in which all owners of abutting properties shall have equal rights, and is controlled by public authority.
- Section 14 "Sanitary Sewer" shall mean a sewer which carries sewage or polluted wastewater and to which storm, surface and groundwater are not intentionally admitted.
- Section 15 "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and stormwaters as may be present. the preferred term is "Wastewater".
- Section 16 "Sewage Treatment Plant" or "Wastewater Treatment Plant" shall mean Any arrangement of devices and structures used for treating sewage.
- Section 17 "Sewage Works" shall mean all facilities for collecting, pumping, treating And disposing of sewage.
- Section 18 "Sewer" shall mean a pipe or conduit for carrying sewage or wastewater.
- Section 19 "Shall" is mandatory; "May" is permissive.
- Section 20 "Slug" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation, and may adversely affect the collection system and/or Performance of the wastewater treatment works.

- Section 21 "Storm Drain" (sometimes termed "Storm Sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- Section 22 "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.
- Section 23 "Watercourse" shall mean a channel, in which a flow of water occurs, either continuously or intermittently.
- Section 24 "Chairman" shall mean the CHAIRMAN OF THE BOARD OF SELECTMEN for the Town of Hopkinton, or his/her authorized representative, agent or deputy.
- Section 25 "Town of Hopkinton" shall mean the area of the Town of Hopkinton, in its entirety, present and future boundaries, within Merrimack County, State of New Hampshire.
- Section 26 "Town" shall mean the Board of Selectmen, acting for the residents of the Town of Hopkinton, for which this ordinance applies.
- Section 27 "Unpolluted Water" is water not containing any pollutant limited or prohibited by the effluent standards established by the Commission, EPA, or the Town, or water whose discharge will not cause any violation of receiving water quality standards.
- Section 28 "Domestic Wastewater or Sanitary Sewage" shall mean normal water-carried household and toilet wastes or waste from sanitary conveniences, excluding ground, surface or stormwater.
- Section 29 "District" shall mean the Sewer District, as created and defined in Article II.
- Section 30 "Commission" shall mean the State of New Hampshire Department of Environmental Services.
- Section 31 "EPA" shall mean the United States Environmental Protection Agency.
- Section 32 "NPDES" shall mean the National Pollutant Discharge Elimination System.
- Section 33 "Unit(s)" shall be defined and determined in the same manner as in the latest edition of the Town's General Description and Guidelines for the Billing System".
- Section 34 "Floor Drain" a permanently installed pipe inside a building to remove incidental water from commercial operations, not a foundation or storm drain.
- Section 35 "Toxic Material" any substance prohibited by the Town of Hopkinton Sewer Ordinance.

Section 36 "Tank or Trap (as used with floor drain)" a special vault which vents gases
And is designed to capture solid and floating materials in water.

ARTICLE II

Sewer District Defined

- Section 1 Within the Town of Hopkinton, a Sewer District is created. This ordinance shall apply only to the area within the Sewer District.
- Section 2 The Sewer District shall include all properties abutting a public sewer and such other properties as the Town shall designate.
- Section 3 All persons required to connect to a public sewer under Article III shall be within the Sewer District.
- Section 4 All persons who discharge wastes to a public sewer shall be within the Sewer District.

ARTICLE III

Use of Public Sewers Required

- Section 1 Pursuant to the provisions of RSA 147 and 252 and any other authority thereto enabling, any Person benefited, improved, served or accommodated by any public sewer, or to which any public sewer is available at the time of construction of the public sewer, or any person who thereafter erects a building with sewage facilities on land having frontage on a public sewer, and the building sewer is within 100 feet of the public sewer, shall connect to the sewer, in such a manner as the Town may require, within forty-five (45) days after notice to such Person from the Town to make such connection, for the purpose of discharge of all Sewage and Industrial Wastes from that Person into the public sewer, subject to such limitations and restrictions as shall be established by the Town in the future. Each such person shall, within the same time limit, cease and desist from all further discharge of Sewage an/or Industrial Wastes into any other conduit or pre-existing system whether privately or publicly owned.
- Section 2 All Sewage and Industrial Wastes from any Persons after connection of such Person with a public sewer as required under Article III, Section 1, shall be conducted into a public sewer, subject to such limitations and restrictions as shall be established herein or otherwise may be established by the Town in the future.
- Section 3 No person shall place or deposit or permit to be placed or deposited upon public or private property within the District, any Sewage or Industrial Wastes in violation of Article III, Section 1.

Section 4 No person shall discharge or permit to be discharged to any natural outlet Within the District, any Sewage or Industrial Wastes in violation of Article III, Section 1, except where suitable treatment has been provided which is satisfactory to the Town and the New Hampshire Department of Environmental Services.

Section 5 No privy, vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time by any Person who has been connected to a public sewer or which shall be required under Article III, Section 1 to be connected to a public sewer.

Section 6 No privy, vault, cesspool, sinkhole, septic tank or similar receptacle at any Time shall be connected with a public sewer.

ARTICLE IV

Building Sewers and Connections to Public Sewer System

Section 1 No person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Board at least 45 days prior to the proposed change or connection.

Section 2 No person shall be permitted to connect to the Public Sewer unless required to do so under Article III.

Section 3 There shall be two (2) classes of building sewer permits: (a) for residential and commercial services, and (b) for service to establishments producing industrial wastes. In either case the owner or his agent shall make application on a special form furnished by the Town. This permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Town. A permit and inspection fee of twenty-five (25) dollars for a residential or commercial building sewer permit and fifty (50) dollars for an industrial building sewer permit shall be paid to the Town at the time the application is filed. A permit may at any time be revoked and annulled by the Town for such cause as the Town may deem sufficient, and all parties in interest shall be held to have waived the right to claim damages on account of such revocation, provided said revocation shall be annulled on compliance with the provisions of these rules and regulations.

Section 4 All cost and expense incidental to the installation and connection of the Building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

- Section 5 A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer if approved in writing by the Town.
- Section 6 Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the Town to meet all requirements of this ordinance.
- Section 7 The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the Commission Standards of Design, or the building and plumbing code or other applicable rules and regulations of the Town, so long as the more stringent specifications apply.
- Section 8 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer, at the owner's expense.
- Section 9 No person shall have or make connection of roof downspouts, exterior foundation drains, areaway drains, other sources of surface runoff, groundwater, or cooling water and unpolluted wastewater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- Section 10 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in Commission Standards of Design, so long as the more stringent specifications apply. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures must be approved by the Town before installation.
- Section 11 The applicant for the building sewer permit shall notify the Town when the Building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the representative of the Town.
- Section 12 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town, all at the Owner's expense.

Section 13 Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are discharged into the system shall notify the Board at least 45 days prior to the proposed change or connection. Proposed new discharges from residential or commercial sources involving substantial piping with manholes, flow exceeding 5,000 GPD, or which are considered to be an industrial discharge must be approved by the New Hampshire Department of Environmental Services.

Section 14 The following is an excerpt from the regulations of the Commission: "Except for special reasons, the Commission will approve plans for new systems, extensions, or replacement sewers only when designed upon the separate plan, in which rain water from roofs, streets and other areas, and groundwater from foundation drains are excluded".

ARTICLE IV A

Floor Drain Connections

Section 1 Floor drains may be connected to the sanitary sewer system only after proper application to the Town of Hopkinton and approval by the Hopkinton Board of Selectmen. Floor drain connections will only be allowed at commercial locations. Plans and specifications must be submitted with applications. All floor drain connection proposals must conform to all other conditions contained in the Hopkinton Sewer Ordinance.

Section 2 No direct, continuous feed, connection of floor drains is allowed. All floor drain connections will be through a tank, which can be isolated from the wastewater system by valves, and contains a trap for grit and floatables.

Section 3 The Town of Hopkinton and/or duly authorized personnel shall be permitted to inspect all approved floor drain connection installations. Only the design and materials which are approved with the application shall be used in the installation.

Section 4 A monitoring and testing schedule will be considered by the Town of Hopkinton and/or duly authorized personnel as part of the application review process. Frequency of testing and effluent limits may be incorporated as conditions to the approval. All testing will be implemented at the owner's expense. Additional testing may be required if at any time it is deemed appropriate by the Town of Hopkinton.

Section 5 All floor drain connection applications will be submitted to the Hopkinton Board of Selectmen for review and approval.

Section 6 Any floor drain discharge system shall be used only in accordance with the stated purpose described in the application. No discharge to the floor drain system by outside entities will be allowed. Any change in the

character of floor drain discharge will require reapplication to the Town of Hopkinton. The Town of Hopkinton will also require reapplication if ownership of the property is transferred.

Section 7 The owner of any floor drain discharge system is responsible for containing any spill of potentially toxic material and immediately notifying the Town of Hopkinton. The owner is responsible for all cleanup costs involved with the floor drain discharge system as well as any costs incurred to clean up contaminated discharges which are allowed into the wastewater collection system and associated facilities.

Section 8 All owners of floor drain discharge systems are subject to the penalties included in Article VIII A of the Hopkinton Sewer Ordinance.

Section 9 The Town of Hopkinton reserves the right to terminate approval for floor drain discharge systems when it is determined that: the application, or the Hopkinton Sewer Ordinance requirements have been violated, or an imminent threat to the wastewater treatment facility exists.

ARTICLE V

Use of the Public Sewers

Section 1 No person shall discharge or cause to be discharged without an NPDES Permit, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 2 Stormwater and all other unpolluted drainage shall be discharged to drains or such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Town. Industrial cooling water or unpolluted process water requires an NPDES Permit prior to being discharged to a storm sewer, if available, or to a natural stream or watercourse. Unpolluted industrial cooling water or process waters also require an NPDES Permit prior to being discharged to a storm sewer, or natural outlet.

Section 3 No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

- a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid.
- b. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but

not limited to cyanides in excess .50 mg/1 CN in the wastes discharged to the public sewer.

c. Any waters or wastes having a pH lower than (5.5) or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater treatment facilities.

d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Section 4

The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Town may set limitations lower than the limitations established in the regulations below if in its opinion such more severe limitations are necessary to meet the above objectives. In forming its opinion as to the acceptability, the Town will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant and other pertinent factors. The limitation or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Town are as follows:

a. Wastewater having a temperature higher than 150 Fahrenheit (65 Celsius).

b. Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.

c. Wastewater from industrial plants containing floatable oils, fat or grease.

d. Any garbage than has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

- e. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material discharged to the public sewer exceeds the limits established by the Commission, EPA or the Town for such materials.
- f. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Town.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Town in compliance with applicable state or federal regulations.
- h. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.
- i. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such a degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- j. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

Section 5

Industrial Wastes: The quantity and quality of all industrial wastes which can be properly taken into the sewage system and treated at the sewage treatment works, in addition to the sanitary sewage from the Town of Hopkinton shall be determined by the Town in accordance with NHWS & PCC regulations. The Town may regulate by appropriate rules and regulations the flow of industrial wastes into the sewage system. The Town shall have the right to require an applicant, owner or contributor of industrial waste to install and maintain at its own expense, such regulating, metering devices and pretreatment works as may be needed to control, measure, record and accept the flow of industrial wastes from his premises into the sewage system.

Section 6

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which water contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Town, may have deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town may:

- a. Reject the wastes,
- b. Require pretreatment to an acceptable condition for discharge to the public sewers,

- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover the added cost of handling and treating the wastes.

If the Town permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town and Commission; and subject to the requirements of all applicable codes, ordinances and laws. No construction of such facilities shall be connected until said approval is obtained in writing. Plans and specifications for the proposed pretreatment facility shall be the result of the design of a professional engineer. Such approval shall not relieve the owner of the responsibility of discharging treated waste meeting the requirements of this ordinance.

Section 7 Grease, oil and sand interceptors shall be provided when, in the opinion of the Town, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town and shall be located as to be readily and easily accessible for cleaning and inspection, and shall be installed and maintained by the owner at his expense in an efficient, operational condition at all times.

Section 8 Where treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 9 When required by the Town, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans and approved by the Town and the Commission. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all time.

Section 10 The Town may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:

- a. Wastewaters discharge peak rate and volume over a specified time period.
- b. Chemical analyses of wastewaters.
- c. Information on raw materials, processes and products affecting wastewater volume and quality.

- d. Quality and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control.
- e. A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
- f. Details of wastewater pretreatment facilities.
- g. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

Section 11

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, and at the option of the Town, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas PH's are determined from periodic grab samples.

All industries discharging into a public sewer shall perform such monitoring of their discharges as the Town or duly authorized employees of the Town may require including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Town. Such records shall be made available upon request by the Town to other agencies having jurisdiction over discharges to the receiving waters.

Section 12

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, by the industrial concern, provided that such agreements do not contravene and requirement of existing Federal laws and are compatible with any User Charge and industrial cost recovery system in effect.

Section 13

It shall be illegal to meet requirements of this Sewer Ordinance by diluting wastes in lieu of proper treatment.

ARTICLE VI

Protection from Damage

Section 1 No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to prosecution under appropriate local ordinances or the Laws of the State of New Hampshire.

ARTICLE VII

Powers and Authority of Inspectors

Section 1 The Town and/or its duly authorized personnel bearing proper credentials and identification shall be permitted to enter all properties at reasonable times and subject to reasonable notification of the occupant(s) for the purposes of inspection, observation, measurement, sampling and testing in accordance with provisions of this ordinance.

Section 2 While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Town or duly authorized personnel shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to any of the Town personnel and the Town shall indemnify the company against loss or damage to its property by Town personnel and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 9.

Section 3 The Town and other duly authorized personnel of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VIII

Public Sewer Extensions and Additions

Extensions of public sewers may be made upon petition of prospective users or by mandate from the Town for reasons of public safety, health, or welfare and subject to the terms and in accordance with the terms and conditions of Article IV of this Ordinance.

- Section 1 The Town will extend its public sewers only in highways, streets, roads and state highways which are maintained by the Town and/or State, and dedicated to public use. Exceptions to this requirement may be made with the approval of the Board of Selectmen if they determine it is in the best interest of the Town.
- Section 2 The kind and size of sewer installed will be determined by the Town in accordance with standards of the Commission and conditions surrounding the extension, including the possibility of future expansion.
- Section 3 An extension petition shall be signed by either a majority or two-thirds majority of all persons owning land having frontage on the proposed extension as provided in Article VIII, Section 4. The extension, if granted, shall be laid along the entire frontage owned by the petitioner(s). Petitions will be presented for action to the Town at a regular meeting. The Town shall have sixty (60) days within which to act on the petition. If, in the discretion of the Town, a controversy exists between owners who would be affected by the extension, or if the public interest would be served, the Town may hold one or more public hearings on the proposal.
- Section 4 If the petition is signed by a majority of the persons owning land having frontage on the proposed extension, the petition shall contain an agreement by the petitioner(s) to pay for the entire cost of public sewer extension and all costs of connection to the extension for all existing buildings on the extension regardless of whether the owners thereof have petitioned for such an extension. If the petition is signed by a two-thirds majority of such person, the petition shall contain an agreement by the petitioner(s) to pay for the entire cost of the public sewer extension. In such case, the costs of connection shall be paid individually by all persons required to connect to the system under Article III, Section 1, regardless of whether that person is a petitioner. The costs of the Public Sewer Extension and connections (when paid by the petitioner(s)) shall be shared proportionately by petitioner(s) based on frontage along the extension. Each petitioner will be required to sign a contract which shall be binding on the petitioner, his heirs, executors, administrators or assigns agreeing to pay the costs required by this Article which shall become a lien on the property.
- Section 5 Persons who own land fronting on the extension and wish to subdivide that land shall provide a subdivision plan of their frontage which has been approved by the proper authority of the Town and shall pay for their entire share of each lot before or when it is sold or transferred.
- Section 6 All public sewer extensions shall be installed by the Town, either by its own employees or by Contract, as the Town may determine. In the event that the work is done by a party other than the Town, the Town may require a bond in a reasonable amount to guarantee full performance. The cost is to be borne by the user in accordance with Section 4 above. In the event additional users are connected to any extension made under Section 4 above, or a re-extension of an already existing extension is

requested, within five years after the date of installation of the original extension, a recalculation will be made on the basis of the user density thereby established. If the user density is increased thereby proportionate and equitable charges will be made to new user and adjustments will be made to the original users. If the user's density is decreased thereby, then such an extension shall be considered as a new and separate extension and will be subject to Section 4 above. In the event that construction of a public sewer will result in expenses to connect and repair an existing public sewer, the Town will require the petitioner(s) to pay such expenses in accordance with Section 4 above.

Section 7 All public sewer extensions installed to service new residential, commercial or industrial developments that are in full compliance with Article IV of this Ordinance shall be made by the Town only after the developer has entered into contract with the Town for full payment of the extension requested.

Section 8 The Town may refuse to grant any extension of public sewer lines if in their discretion the extension would place an undue burden on the sewage treatment facility having in mind the capacity of the system and the orderly development of the Town as a whole, the area to be serviced is too remote, has sufficient land area and soil capacity to accommodate the wastes, the extension would utilize an excessive amount of power, resources, place undue pressure on development, or other items effecting the welfare of the Town, or any reasonable grounds which make the extension inadvisable.

Section 9 Additions to the system shall be defined as any unit added to the sewer system. Before an additional unit can be added to the system, official application and approval must be obtained from the Town. The Town can require proper reporting of these units. Failure by a user to complete the survey form in a timely manner or incorrect reporting is subject to the penalties contained in Article VIII A.

Section 10 As extensions and additions are made to the Public Sewer System, capital cost recovery charges shall be made on a per unit basis to be applied against the debt that the Town incurred in constructing the sewer system. The charge will be applied to all new units (additions and extensions) coming on to the system after the enactment of this Section. The charge shall be at the rate of \$800 per unit. Such payment shall be made before the extension or addition is connected to the system. Additional units within the structural limit of a single family residence as it exists on the date of the enactment of this Section shall be exempted from the capital cost recovery charges if it remains a single family residence.

For the businesses and schools whose number of units is based on the number of people occupying the structure, the assessing of the capital cost recovery charge shall be at the sole discretion of the Board of Selectmen.

*The Capital Recovery Fee Schedule will provide for a 50% reduction in the fee for sewer service connections for a development that meets the definition of Affordable Housing under Section IVI of the Town of Hopkinton Zoning Ordinance.

Once a capital recovery charge has been made, it shall not be refundable for any reason.

ARTICLE VIII A

Penalties

Section 1 Any person who violates any portion of this ordinance shall be subject to a Civil penalty not to exceed \$10,000.00 per day for such violation (Ref: RSA 149-I).

Section 2 Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation.

ARTICLE IX

Validity

Section 1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2 The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

*Amended 3/13/91

ARTICLE X

Ordinance in Force

Section 1 This Ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

This Ordinance shall take effect upon its passage. Passed and approved this 14th day of March, 1984.

Ordinance adopted at Town Meeting as Article 5, March 14, 1984

Ordinance amended (Article VIII, Section 10) at Special Town Meeting, September 16, 1986

Ordinance amended (Article VIII, Section 10) at Town Meeting, March 13, 1991

Ordinance amended (Articles I, II, III, IV, IV A and VIII A) at Board of Selectmen Meeting, April 23, 1996

Reformatted: 03/2007



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – NOTICE OF ORDINANCE PROHIBITING THE DRIVING, LEADING OR RIDING OF HORSES UPON PAVED SIDEWALKS

ORDINANCE NO: 07-08

Notice is hereby given that the Board of Selectmen adopted the following ordinance prohibiting the driving, leading or riding of horses upon paved sidewalks of the Town at its meeting of April 21, 1971 and confirmed the same at its meeting of May 5, 1971, to be effective May 5, 1971, to be effective May 15, 1971.

Resolved by the Board of Selectmen of the Town of Hopkinton, acting pursuant to the powers vested in them by RSA 41:11 as well as all other powers:

- (1) It shall be unlawful for any person to lead, drive or ride a horse upon any of the paved paths or sidewalks within the Town of Hopkinton.
- (2) Any person who has custody or is the owner, keeper or rider of a horse shall be fined not more than fifty dollars (\$50.00) for each and every violation of section 1 of this ordinance.

This ordinance shall be effective May 15, 1971.

Thomas Johnson, Jr., Chairman
Frank Kimball
David Story

Board of Selectmen

This By-law was received, recorded and signed by David Packard, Hopkinton Town Clerk on May 15, 1971

Adopted 5/15/1971; Reformatted 03/2007

This ordinance shall be effective May 15, 1971.

Thomas Johnson, Jr., Chairman
Frank Kimball
David Story

RECEIVED AND RECORDED

Board of Selectmen

May 15 1971 8:30 A.M.

Dist. No. Page No.

Wm. R. Keane
MORRISTON, N.H. TOWN CLERK



TOWN OF HOPKINTON, NEW HAMPSHIRE
RULES & REGULATIONS – USE OF FIREWORKS

ORDINANCE NO: 05-00

1.01 AUTHORITY

Pursuant to the authority of New Hampshire RSA 41:8, 41:11-A, 47:17, 160-C, and any other applicable state statute annotated, the Board of Selectmen of the Town of Hopkinton hereby ordain as follows:

1.02 PURPOSE

To allow the possession and use of Class C, "consumer or permissible" fireworks, in the town of Hopkinton. To prohibit the sale, purchase, possession, use or firing of any Class B, "special or display" fireworks within the town of Hopkinton without a valid permit granted by the Board of Selectmen, and as approved by the Hopkinton Fire Chief and Hopkinton Police Chief.

1.03 DEFINITION

Permissible Fireworks: means any fireworks approved by the Fireworks Review Committee and listed on the permissible fireworks list established pursuant to NH RSA 160-C:15, I. Permissible fireworks are also known as "consumer fireworks".

Display Fireworks: are large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation. This term includes, but is not limited to, salutes containing more than 2 grains (130 mg) of explosive material, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces which exceed the limits of explosive materials for classification as "consumer fireworks".

1.04 USE

Class C, Consumer Fireworks: A small device designed to produce audible effects such as a whistling device or ground device, containing 50 mg or less of explosive materials, and aerial devices containing 130 mg or less of explosive material.

Any small firework device designed to produce visible effects by combustion and which must comply with the construction, chemical composition and labeling regulations of the United State Consumer Product Safety Commission, as set forth in Title 16 CFR Parts 1500 and 1507. Resident shall be permitted the use of any Class C, permissible or consumer fireworks, as approved by the Department of Safety, and the Hopkinton Fireworks Review Committee.

1.05 PROHIBITED USE

Class B - Display Fireworks: In accordance with the provisions of RSA 160-A, it shall be illegal for any person, firm, partnership or corporation to offer for sale, expose for sale, sell at retail, purchase, possess, use or explode any Class B, display fireworks without a permit.

1.06 ENFORCEMENT

Any person who violates the provisions of this ordinance shall be fined not more than \$500.00 per violation.

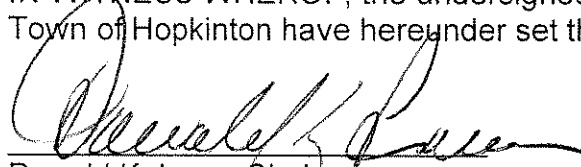
1.07 PREVIOUS ORDINANCES

The provisions of this ordinance replace all previous ordinances regulating use of fireworks issued by the Town of Hopkinton, and any previous use of fireworks ordinances are hereby rescinded.

EFFECTIVE DATE:

These rules and regulations shall become effective on the 11th day of July 2005.

IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 11th day of July 2005.


Donald K. Lane, Chairman

Lloyd A. Holmes, Selectman

Louise M. Carr, Selectman


Clarke L. Kidder, Selectman


Peter M. Russell, Selectman

A true copy, attest:


Sue Strickford, Town Clerk



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – KEY SECURITY SYSTEM

ORDINANCE NO: 08-01

1.00 ADMINISTRATION

Designee: Shall mean any or all persons responsible for reviewing and approving equipment and system design.

Monitor Fire Alarm System: Shall mean a fire alarm system that is monitored by a company that will receive a fire alarm signal and transfer information to fire dispatch of the fire alarm activation.

1.01 INTENT

The intent of this ordinance is to ensure all monitor fire alarm systems installed in the Town of Hopkinton will be equipped with a key box system designed, and installed to achieve the following:

- a. High reliability of building key security.
- b. Conformity of system design acceptable to the Hopkinton Fire Department.
- c. Ease of operation and understanding.
- d. Quick access to building in the event of fire alarm activation.
- e. Reduction of needless damage from gaining access.

1.02 SCOPE

This ordinance shall apply to all businesses, residential home or other buildings that are equipped with a Monitored Fire Alarm System in the Town of Hopkinton.

1.03 AUTHORITY

The Fire Chief, Fire Inspector or his/her designee shall approve the design and installation of Key Security Box location.

2.00 GENERAL REQUIREMENTS

2.01 SCOPE

The Security Key System will be type accepted by the Hopkinton Fire Department.

2.02 EQUIPMENT

The security Key System approved by the Fire Department will be the Knox Box System design as Rapid Entry system produce by the Knox Company.

2.03 PURCHASE

Purchase of any Knox Box shall be through the Hopkinton Fire Department for security reasons. Property owner assumes all cost in purchasing Knox Box.

2.04 INSTALLATION LOCATION

Knox Box to be installed in a location approved by the Fire Chief, Fire Inspector or his/her designee.

3.00 RESPONSIBILITY

Property or building occupant shall provide building key or keys to the fire department to be secured in the Knox Box upon installation.

3.01 The Town of Hopkinton assumes no responsibility for cost, installation or maintenance.

4.00 PENALTY

4.01 Any person who has a monitored fire alarm system that is monitored by an alarm agent, alarm business or any other company that may monitor the fire alarm system is required to provide a key Knox Box for fire department access at location of fire alarm activation.

4.02 Failure to provide access key at location of fire alarm activation will results in the following penalty:

- | | |
|--|-----------|
| • First response without access | Warning |
| • Second response without access | \$ 50.00 |
| • Third response without access | \$ 100.00 |
| • Fourth response without access | \$ 200.00 |
| • Fifth response and each additional response without access | \$ 300.00 |


RULES & REGULATIONS – KEY SECURITY SYSTEM

Page 3

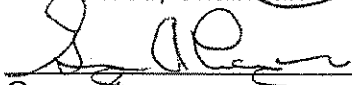
EFFECTIVE DATE:

These rules and regulations shall become effective on the 31 day of DECEMBER 2008.


IN WITNESS WHEREOF, the undersigned members of the Board of Selectmen of the Town of Hopkinton have hereunder set their hands this 27 day of OCTOBER 2008.



Scott Flood, Chairman



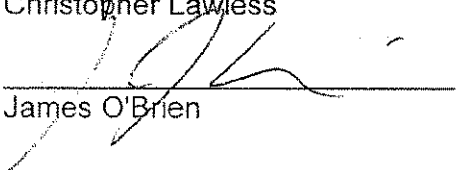
George Langwasser



Tom Congoran



Christopher Lawless



James O'Brien

Date: OCT. 27, 2008

A true copy, attest:



Sue Strickford, Town Clerk